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PHILIPPINE ISLANDS

ACTS OF CONGRESS
AND TREATIES

PERTAINING TO THE

285

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NOTE.

This compilation contains the text of the organic act of the Philippine Islands of July 1, 1902, as amended or affected by subsequent legislation, the autonomy act of August 29, 1916, the coinage act of March 2, 1903, as amended, and such other acts of Congress which relate specifically and only to the said islands.

While this compilation is intended especially to give in full the legislation enacted by Congress specifically for the Philippine Islands there are certain other general acts, which, though enacted primarily for the United States are by some section or provision therein also expressly extended to, made applicable to or put in force in the Philippine Islands, and the titles of such acts with the sections relating to the Philippine Islands and citations to the Statutes at Large are printed for purposes of ready reference.

The Appendix contains the treaties relative to the acquisition of the Philippine Islands, the instructions of the President of April 7, 1900, to the Philippine Commission, the currency laws enacted by the Philippine Legislature, the political grand divisions and subdivisions into which the Philippine Islands have been divided, the organization of the executive departments with salaries of the principal officials and employees of the government, the composition of the Senatorial and Representative district, and the Public Land Act enacted by the Philippine Legislature as approved November 29, 1919.

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NOTE.

This compilation contains the text of the organic act of the Philippine Islands of July 1, 1902, as amended or affected by subsequent legislation, the autonomy act of August 29, 1916, the coinage act of March 2, 1903, as amended, and such other acts of Congress which relate specifically and only to the said islands.

While this compilation is intended especially to give in full the legislation enacted by Congress specifically for the Philippine Islands there are certain other general acts, which, though enacted primarily for the United States are by some section or provision therein also expressly extended to, made applicable to or put in force in the Philippine Islands, and the titles of such acts with the sections relating to the Philippine Islands and citations to the Statutes at Large are printed for purposes of ready reference.

The Appendix contains the treaties relative to the acquisition of the Philippine Islands, the instructions of the President of April 7, 1900, to the Philippine Commission, the currency laws enacted by the Philippine Legislature, the political grand divisions and subdivisions into which the Philippine Islands have been divided, the organization of the executive departments with salaries of the principal officials and employees of the government, the composition of the Senatorial and Representative district, and the Public Land Act enacted by the Philippine Legislature as approved November 29, 1919.

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ORGANIC ACT OF THE PHILIPPINE ISLANDS.

Note.—While many of the provisions of the organic act of July 1, 1902, became ineffective upon the enactment of the autonomy act of August 29, 1916, all of the original organic act as amended to August 29, 1916, has been retained in this compilation and those sections which have been repealed or superseded have been printed in italics for the purpose of information and ready reference in tracing the evolution of the civil government in the Philippine Islands.

July 1, 1902.

[Public, No. 286.]
32 Stats. L. pt. 1, p. 691.
Philippine Islands.

CHAP. 1369.—An Act Temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action of the President of the United States in creating the Philippine Commission¹ and authorizing said commission to exercise the powers of government to the extent and in the manner and form and subject to the regulation and control set forth in the instructions of the President to the Philippine Commission, dated April seventh, nineteen hundred, and in creating the offices of civil governor² and vice governor of the Philippine Islands, and authorizing said civil governor and vice governor to exercise the powers of government to the extent and in the manner and form set forth in the Executive order dated June twenty-first, nineteen hundred and one, and in establishing four executive departments of government in said islands as set forth in the act of the Philippine Commission, entitled "An act providing an organization for the departments of the interior, of commerce and police, of finance and justice, and of public instruction," enacted September sixth, nineteen hundred and one, is hereby approved, ratified, and confirmed, and until otherwise provided by law the said islands shall continue to be governed as thereby and herein provided, and all laws passed hereafter by the Philippine Commission shall have an enacting clause as follows: "By authority of the United States be it enacted by the Philippine Commission." The provisions of section eighteen hundred and ninety-one of the Revised Statutes of eighteen hundred and seventy-eight³ shall not apply to the Philippine Islands.

Temporary civil government established in, ratified.

q. v. p. 125.

q. v. p. 51.

Act No. 222.
Enacting clause of laws.
R. S., sec. 1891, p. 333,
not to apply.

¹ Membership of Phil. Com. increased to nine by act of Congress approved May 11, 1908. See p. 75.

² Designation changed to governor general by act of Congress approved Feb. 6, 1905, sec. 8. See p. 66.

³ Section 1891, Revised Statutes, page 333, provides as follows:

Sec. 1891. The Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within all the organized Territories, and in every Territory hereafter organized as elsewhere within the United States.

Future civil appointments in. Future appointments of civil governor, vice governor, members of said commission, and heads of executive departments shall be made by the President, by and with the advice and consent of the Senate.

Philippine tariff approved, etc. SEC. 2.¹ That the action of the President of the United States heretofore taken by virtue of the authority vested in him as Commander in Chief of the Army and Navy, as set forth in his order of July twelfth, eighteen hundred and ninety-eight, whereby a tariff of duties and taxes as set forth by said order was to be levied and collected at all ports and places in the Philippine Islands upon passing into the occupation and possession of the forces of the United States, together with the subsequent amendments of said order, are hereby approved, ratified, and confirmed, and the actions of the authorities of the government of the Philippine Islands, taken in accordance with the provisions of said order and subsequent amendments, are hereby approved: Provided, That nothing contained in this section shall be held to amend or repeal an act entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two.

Proviso. Revenue law not affected. SEC. 3 (repealed by sec. 10 **Act of Congress of August 29, 1916**). That the President of the United States, during such time as and whenever the sovereignty and authority of the United States encounter armed resistance in the Philippine Islands, until otherwise provided by Congress, shall continue to regulate and control commercial intercourse with and within said islands by such general rules and regulations as he, in his discretion, may deem most conducive to the public interests and the general welfare.

Commercial intercourse during hostilities. SEC. 4 (as amended by act of Congress of March 23, 1912. Repealed and superseded by sec. 2, act of Congress of August 29, 1916. See p. 33). That all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety-nine, and then resided in said islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace² between the United States and Spain signed at Paris December tenth, eighteen hundred and ninety-eight: Provided, That the Philippine Legislature is hereby authorized to provide by law for the acquisition of Philippine citizenship by those natives of the Philippine Islands who do not come within

¹ Sec. 2 has now ceased to be a live provision; "the tariff of duties and taxes" being fixed by the act of Aug. 5, 1909, "to raise revenue for the Philippine Islands, and other purposes." (See also act of Congress of June 30, 1908, p. 71.)

Respecting trade between the United States and the Philippine Islands, the Philippine tariff act of Aug. 5, 1909, was further modified in some particulars by Sec. IV (c) of the United States tariff act of Oct. 3, 1913.

² Art. IX of the treaty of peace of Dec. 10, 1898, and protocol of Mar. 29, 1900.

the foregoing provisions, the natives of other insular possessions of the United States, and such other persons residing in the Philippine Islands who could become citizens of the United States under the laws of the United States if residing therein.

SEC. 5 (repealed and superseded by sec. 3, Act of Congress of August 29, 1916. See p. 34). That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

That no person shall be held to answer for a criminal offense without due process of law; and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

That all persons shall before conviction be bailable by sufficient sureties, except for capital offenses.

That no law impairing the obligation of contracts shall be enacted.

That no person shall be imprisoned for debt.

That the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion, insurrection, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the governor, with the approval of the Philippine Commission, wherever during such period the necessity for such suspension shall exist.

That no ex post facto law or bill of attainder shall be enacted.

That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in said islands, shall, without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign State.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

That the right to be secure against unreasonable searches and seizures shall not be violated.

That neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in said islands.

That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

Declaration of rights.

Protection to life, liberty, etc.

Criminal prosecutions.

Trial.

Bail, exception.

Contracts.

Imprisonment for debt.

Writs of habeas corpus.

Ex post facto laws, etc.

Title of nobility, etc.

Excessive bail, etc.

Seizures, etc.

Slavery.

Freedom of speech.

Religious freedom. *That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed.*

Appropriations. *That no money shall be paid out of the treasury except in pursuance of an appropriation by law.*

Taxation. *That the rule of taxation in said islands shall be uniform.*

Private bills. *That no private or local bill which may be enacted into law shall embrace more than one subject, and that subject shall be expressed in the title of the bill.*

Search warrants. *That no warrant shall issue but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched and the person or things to be seized.*

Special taxes. *That all money collected on any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury and paid out for such purpose only.*

Commercial intercourse during hostilities. SEC. 6 (the provisions of this section have been accomplished). *That whenever the existing insurrection in the Philippine Islands shall have ceased and a condition of general and complete peace¹ shall have been established therein and the fact shall be certified to the President by the Philippine Commission, the President, upon being satisfied thereof, shall order a census² of the Philippine Islands to be taken by said Philippine Commission; such census in its inquiries relating to the population shall take and make so far as practicable full report for all the inhabitants, of name, age, sex, race, or tribe, whether native or foreign born, literacy in Spanish, native dialect or language, or in English, school attendance, ownership of homes, industrial and social statistics, and such other information separately for each island, each province, and municipality, or other civil division, as the President and said commission may deem necessary: Provided, That the President may, upon the request of said commission, in his discretion, employ the service of the Census Bureau in compiling and promulgating the statistical information above provided for, and may commit to such bureau any part or portion of such labor as to him may seem wise.*

Proviso. Aid of Census Bureau. SEC. 7 (as amended by Act of Congress of February 27, 1909. Repealed and superseded by secs. 14, 18, and 19, of General election, etc. Act of Congress of August 29, 1916. See pp. 38, 40, 41). *That two years after the completion and publication of the census, in case such condition of general and complete peace with recognition of the authority of the United States shall have continued in the territory of said islands*

¹ See Procl. of Pres., July 4, 1902 (amnesty) as to peace.

² Report of the Phil. Comm. for 1907, vol. 1, pp. 207-214, gives certificate of Phil. Comm., order of the President to take census, proclamations of governor general concerning taking of census, convening of Phil. Assembly, etc.

not inhabited by Moros or other non-Christian tribes and such facts shall have been certified to the President by the Philippine Commission, the President upon being satisfied thereof shall direct said commission to call, and the commission shall call, a general election¹ for the choice of delegates to a popular assembly of the people of said territory in the Philippine Islands, which shall be known as the Philippine assembly. After said assembly shall have convened and organized, all the legislative power heretofore conferred on the Philippine Commission in all that part of said islands not inhabited by Moros or other non-Christian tribes shall be vested in a legislature consisting of two houses—The Philippine Commission and the Philippine assembly. Said assembly shall consist of not less than fifty nor more than one hundred members, to be apportioned by said commission among the provinces as nearly as practicable according to population: Provided, That no province shall have less than one member: And provided further, That provinces entitled by population to more than one member may be divided into such convenient districts as the said commission may deem best.

Public notice of such division shall be given at least ninety days prior to such election, and the election shall be held under rules and regulations to be prescribed by law. The qualification of electors in such election shall be the same as is now provided by law in case of electors in municipal elections. The members of assembly shall hold office for two years from the first day of January² next following their election, and their successors shall be chosen by the people every second year thereafter. No person shall be eligible³ to such election who is not a qualified elector of the election district in which he may be chosen, owing allegiance to the United States, and twenty-five years of age.

(As amended by Act of Congress of February 27, 1909.) The legislature shall hold annual sessions, commencing on the first Monday of February⁴ in each year and continuing not exceeding ninety days thereafter (Sundays and holidays not included) and the first meeting of the legislature shall be held upon the call of the governor within ninety days after the first election: Provided, That the Philippine Legislature after its first meeting as herein provided may by law fix a date other than the first Monday of February in each year for the commencement of its annual sessions: ⁴ And provided further, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such

Moros and non-Christian tribes excluded.

Legislative assembly established.

Provisos. Minimum representation. Election districts.

Public notice.

Qualification of electors.

Terms of office.

Eligibility.

Date of Annual sessions.

Provisos. First meeting.

Legislature may determine date.

Provisions for government mental expenses.

¹ Act No. 2045, sec. 1, of Phil. Legis.

² See Act of Congress of Feb. 15, 1911, amending sec. 7, p. 80.

³ Act No. 2045, sec. 7, of Phil. Legis.

⁴ Act No. 2114, of Phil. Legis.

purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid. [33 Stat. L., 659.]

Special sessions. *The legislature may be called in special session at any time by the civil governor for general legislation, or for action on such specific subjects as he may designate. No special session shall continue longer than thirty days, exclusive of Sundays.*

Assembly judge of elections, etc. *The assembly shall be the judge of the elections, returns, and qualifications of its members. A majority shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members.*

Attendance, speaker, salaries, rules, etc. *It shall choose its speaker and other officers, and the salaries of its members and officers shall be fixed by law.*

Journal. *It may determine the rule of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member. It shall keep a journal of its proceedings, which shall be published, and the yeas and nays of the members on any question shall, on the demand of one-fifth of those present, be entered on the journal.*

Y e a s a n d n a y s . **SEC. 8** (repealed and superseded by sec. 20, Act of Congress, August 29, 1917 (see pp. 42), except the clause relative to expenses, which is still in force and effect). *That at the same time with the first meeting of the Philippine Legislature, and biennially thereafter, there shall be chosen by said legislature, each house voting separately,*

Resident commissioners to the United States. *two Resident Commissioners¹ to the United States, who shall be entitled to an official recognition as such by all departments upon presentation to the President of a certificate of election by the civil governor of said islands,*

Salaries. *and each of whom shall be entitled to a salary payable monthly by the United States at the rate of five thousand dollars per annum, and two thousand dollars additional to cover all expenses: Provided, That no person shall be eligible to such election who is not a qualified elector of said islands, owing allegiance to the United States, and who is not thirty years of age.*

Proviso. Eligibility. **SEC. 9** (repealed and superseded by sec. 26, Act of Congress, August 29, 1916. See p. 46). *That the supreme court² and the courts of first instance of the Philippine Islands shall possess and exercise jurisdiction as heretofore provided and such additional jurisdiction as shall hereafter be prescribed by the government of said islands, subject to the power of said government to change the*

¹ For change of tenure of office to four years, salary, expenses, etc., act of Congress of Feb. 15, 1911, see sec. 2, p. 80.

² For pay, vacancies, and travelling expenses of justices of Supreme Court, act of Congress of Feb. 6, 1905, sec. 7, see p. 66.

Supreme Court given original jurisdiction in actions involving railroad construction by act of Congress of Feb. 6, 1905, sec. 4, par. 13, see p. 65.

Terms of court fixed by joint resolution Apr. 9, 1910, see p. 78.

practice and method of procedure. The municipal courts of said islands shall possess and exercise jurisdiction as heretofore provided by the Philippine Commission, subject in all matters to such alteration and amendment as may be hereafter enacted by law; and the chief justice and associate justices of the supreme court shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and shall receive the compensation heretofore prescribed by the commission until otherwise provided by Congress. The judges of the court of first instance shall be appointed by the civil governor, by and with the advice and consent of the Philippine Commission: Provided, That the admiralty jurisdiction of the supreme court and courts of first instance shall not be changed except by act of Congress.

Municipal courts.

Appointment of judges.

Proviso. Admiralty jurisdiction.

SEC. 10 (repealed and superseded by sec. 27, Act of Congress, August 29, 1919. See p. 47). That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the supreme court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right, or privilege of the United States is involved, or in causes in which the value in controversy exceeds twenty-five thousand dollars, or in which the title or possession of real estate exceeding in value the sum of twenty-five thousand dollars, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved, in the same manner, under the same regulations, and by the same procedure, as far as applicable, as the final judgments and decrees of the circuit courts of the United States.

Appeal, etc., to United States Supreme Court.

SEC. 11. That the government of the Philippine Islands is hereby authorized to provide for the needs of commerce by improving the harbors and navigable waters of said islands and to construct and maintain in said navigable waters and upon the shore adjacent thereto bonded warehouses, wharves, piers, light-houses, signal and life-saving stations, buoys, and like instruments of commerce, and to adopt and enforce regulations in regard thereto, including bonded warehouses wherein articles not intended to be imported into said islands nor mingled with the property therein, but brought into a port of said islands for reshipment to another country, may be deposited in bond and reshipped to another country without the payment of customs duties or charges.

Improvements of rivers and harbors.

Protection to navigation, etc.

SEC. 12 (repealed and superseded by sec. 9, Act of Congress of August 29, 1916. See p. 36). That all the property and rights which may have been acquired in the

Transfer of property, etc., to Philippine government.

Philippine Islands by the United States under the treaty of peace with Spain, signed December tenth, eighteen hundred and ninety-eight, except such land or other property as shall be designated by the President of the United

Military and other reservations excepted. States for military and other reservations of the Government of the United States, are hereby placed under the control of the government of said islands to be administered for the benefit of the inhabitants thereof, except as provided in this act.

Note.—Sections 13 to 62, inclusive, relative to the administration and disposition of public lands in the Philippine Islands, are still in force and effect and will remain in force and effect until altered or repealed by the Philippine Legislature, in accordance with section 9 of the act of Congress of August 29, 1916, which provides:

“That all public lands, except such as may have heretofore been sold and disposed of in accordance with the provisions of the act of Congress of July 1, 1902, shall be placed under the control of the government of said islands to be administered and disposed of for the benefit of the inhabitants thereof, and the Philippine Legislature shall have power to legislate with respect to all such matter as it may deem advisable, but the acts of the Philippine Legislature with reference to land of the public domain, timber, and mining, hereafter enacted, shall not have the force of law until approved by the President of the United States.”

Under the authority contained in section 9 of the act of Congress of August 29, 1916, H. No. 1194, Fourth Philippine Legislature, second session, “An act to amend and compile the laws relative to lands of the public domain, and for other purposes,” and known as “The public-land law,” was passed by the Philippine House of Representatives on February 7, 1918, and on February 8, 1918, it was passed by the Philippine Senate and approved by the Governor General.

The bill was duly submitted to the President of the United States for approval, and the President was subsequently requested by concurrent resolution of the Philippine Legislature, dated October 23, 1918, through the Governor General, to return the bill for the purposes of amendment.

Certain amendments were made in the bill at a special session of the Philippine Legislature, which was convened on March 1, 1919, by a proclamation of the Acting Governor General of the Philippine Islands, dated February 27, 1919.

The bill as amended was finally passed and became effective November 29, 1919. For text of the Public Land Act, see Appendix XII, page 157.

Public lands. SEC. 13. That the government of the Philippine Islands, subject to the provisions of this act and except as herein provided, shall classify according to its agricultural character and productiveness, and shall immediately make rules and regulations for the lease, sale, or other disposition of the public lands other than timber or mineral lands, but such rules and regulations shall not go

Disposal of. into effect or have the force of law until they have received the approval of the President and when approved by the President they shall be submitted by him to Congress at the beginning of the next ensuing session thereof and unless disapproved or amended by Congress at said session they shall at the close of such period have the

Exception.

Regulations

force and effect of law in the Philippine Islands: *Provided*, That a single homestead entry shall not exceed sixteen hectares in extent.

Proviso.
Homesteads.

SEC. 14. That the government of the Philippine Islands is hereby authorized and empowered to enact rules and regulations¹ and to prescribe terms and conditions to enable persons to perfect their title to public lands in said islands, who, prior to the transfer of sovereignty from Spain to the United States, had fulfilled all or some of the conditions required by the Spanish laws and royal decrees of the Kingdom of Spain for the acquisition of legal title thereto yet failed to secure conveyance of title; and the Philippine Commission is authorized to issue patents, without compensation, to any native of said islands, conveying title to any tract of land not more than sixteen hectares in extent, which were public lands and had been actually occupied by such native or his ancestors prior to and on the thirteenth of August, eighteen hundred and ninety-eight.

Perfecting titles by present owners.

Issuance of patents.

SEC. 15. That the government of the Philippine Islands is hereby authorized and empowered, on such terms as it may prescribe, by general legislation, to provide for the granting or sale and conveyance to actual occupants and settlers and other citizens of said islands such parts and portions of the public domain, other than timber and mineral lands of the United States in said islands as it may deem wise, not exceeding sixteen hectares to any one person, and for the sale and conveyance of not more than one thousand and twenty-four hectares to any corporation or association of persons: *Provided*, That the grant or sale of such lands, whether the purchase price be paid at once or in partial payments, shall be conditioned upon actual and continued occupancy, improvement, and cultivation of the premises sold for a period of not less than five years, during which time the purchaser or grantee can not alienate or encumber said land or the title thereto; but such restriction shall not apply to transfers of rights and title of inheritance under the laws for the distribution of the estates of decedents.

Limit of sales to settlers.

Proviso.

Occupancy, improvement, etc.

SEC. 16. That in granting or selling any part of the public domain under the provisions of the last preceding section, preference in all cases shall be given to actual occupants and settlers; and such public lands of the United States in the actual possession or occupancy of any native of the Philippine Islands shall not be sold by said government to any other person without the consent thereto of said prior occupant or settler first had and obtained: *Provided*, That the prior right hereby secured to an occupant of land, who can show no other proof of title than possession, shall not apply to more than sixteen hectares in one tract.

Preference to actual occupants.

Natives.

Proviso.

Limit of area.

¹ See rules and regulations issued by Phil. Comm.

10 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

Protection of forests. SEC. 17. That timber, trees, forests, and forest products on lands leased or demised by the government of the Philippine Islands under the provisions of this act shall not be cut, destroyed, removed, or appropriated except by special permission of said government and under such regulations as it may prescribe.

Use of receipts. All moneys obtained from lease or sale of any portion of the public domain or from licenses to cut timber by the government of the Philippine Islands shall be covered into the insular treasury and be subject only to appropriation for insular purposes according to law.

Forest laws, etc., continued. SEC. 18. That the forest laws and regulations now in force in the Philippine Islands, with such modifications and amendments as may be made by the government of said islands, are hereby continued in force, and no timber lands forming part of the public domain shall be sold, leased, or entered until the government of said islands, upon the certification of the forestry bureau that said lands are more valuable for agriculture than for forest uses, shall declare such lands so certified to be agricultural in character: *Provided*, That the said government

Proviso. Timber licenses. shall have the right and is hereby empowered to issue licenses to cut, harvest, or collect timber or other forest products on reserved or unreserved public lands in said islands in accordance with the forest laws and regulations hereinbefore mentioned and under the provisions of this act, and the said government may lease land to any person or persons holding such licenses, sufficient for a mill site, not to exceed four hectares in extent, and may grant rights of way to enable such person or persons to get access to the lands to which such licenses apply.

Basis of water privileges. SEC. 19. That the beneficial use shall be the basis, the measure, and the limit of all rights to water in said islands, and the government of said islands is hereby authorized to make such rules and regulations¹ for the use of water, and to make such reservations of public lands for the protection of the water supply, and for other public purposes not in conflict with the provisions of this act, as it may deem best for the public good.

MINERAL LANDS.

Disposal. SEC. 20. That in all cases public lands in the Philippine Islands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

Purchase, etc., by citizens. SEC. 21. That all valuable mineral deposits in public lands in the Philippine Islands, both surveyed and unsurveyed, are hereby declared to be free and open to exploration, occupation, and purchase, and the land in which they are found to occupation and purchase, by citizens of the United States, or of said islands: *Provided*,

Proviso. Minerals on unpatented agricultural lands. That when on any lands of said islands entered and occupied as agricultural lands under the provisions of

¹ For these rules and regulations, see Act No. 2152 of Phil. Legis.

this act, but not patented, mineral deposits have been found, the working of such mineral deposits is hereby forbidden until the person, association, or corporation who or which has entered and is occupying such lands shall have paid to the government of said islands such additional sum or sums as will make the total amount paid for the mineral claim or claims in which said deposits are located equal to the amount charged by the government for the same as mineral claims.

SEC. 22 (as amended by sec. 9, Act of Congress of February 6, 1905). That mining claims upon land containing veins or lodes of quartz or other rock in place-bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits located after the passage of this Act, whether located by one or more persons qualified to locate the same under the preceding section, shall be located in the following manner and under the following conditions: Any person so qualified desiring to locate a mineral claim shall, subject to the provisions of this Act with respect to land which may be used for mining, enter upon the same and locate a plat of ground measuring, where possible, but not exceeding three hundred meters in length by three hundred meters in breadth, in as nearly as possible a rectangular form; that is to say, all angles shall be right angles, except in cases where a boundary line of a previously surveyed claim is adopted as common to both claims, but the lines need not necessarily be meridional. In defining the size of a mineral claim it shall be measured horizontally, irrespective of inequalities of the surface of the ground.

SEC. 23 (as amended by sec. 9, Act of Congress of February 6, 1905). That a mineral claim shall be marked by two posts, placed as nearly as possible on the line of the ledge or vein, and the posts shall be numbered one and two, and the distance between posts numbered one and two shall not exceed three hundred meters, the line between posts numbered one and two to be known as the location line; and upon posts numbered one and two shall be written the name given to the mineral claim, the name of the locator, and the date of the location. Upon post numbered one there shall be written, in addition to the foregoing, "Initial post," the approximate compass bearing of post numbered two, and a statement of the number of meters lying to the right and to the left of the line from post numbered one to post numbered two, thus: "Initial post. Direction of post numbered two meters of this claim lie on the right and meters on the left of the line from number one to number two post." All the particulars required to be put on number one and number two posts shall be furnished by the locator to the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, in

Locating of mineral claims.

Regulations.

Demarcation claims.

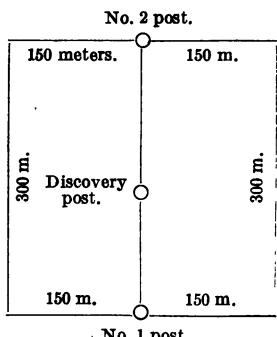
writing, at the time the claim is recorded, and shall form a part of the record of such claim.

Marking lines of claims. SEC. 24 (as amended by sec. 9, *Act of Congress of February 6, 1905*). That when a claim has been located the holder shall immediately mark the line between posts numbered one and two so that it can be distinctly seen. The locator shall also place a post at the point where he has found minerals in place, on which shall be written "Discovery post:" *Provided*, That when the claim is surveyed the surveyor shall be guided by the records of the claim, the sketch plan on the back of the declaration made by the owner when the claim was recorded, posts numbered one and two, and the notice on number one, the initial post.

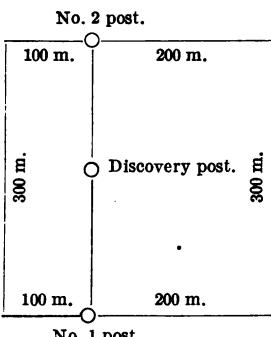
Proviso. Surveys.

Examples of laying out claims. EXAMPLES OF VARIOUS MODES OF LAYING OUT CLAIMS.

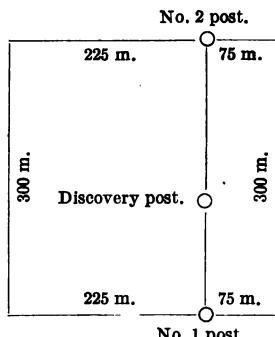
1.



2.



3.



Removal of posts unlawful. SEC. 25 (as amended by sec. 9, *Act of Congress of February 6, 1905*). That it shall not be lawful to move number one post, but number two post may be moved by the deputy mineral surveyor when the distance between posts numbered one and two exceeds three hundred meters, in order to place number two post three hundred meters from number one post on the line of location. When the distance between posts numbered one and two is less than three hundred meters, the deputy mineral surveyor shall have no authority to extend the claim beyond number two.

Location lines. SEC. 26. That the "location line" shall govern the direction of one side of the claim, upon which the survey shall be extended according to this act.

Restrictions. SEC. 27. That the holder of a mineral claim shall be entitled to all minerals which may lie within his claim, but he shall not be entitled to mine outside the boundary lines of his claim continued vertically downward: *Provided*, That this act shall not prejudice the rights of

Proviso. Prior claims not prejudiced. claim owners nor claim holders whose claims have been located under existing laws prior to this act.

SEC. 28. That no mineral claim of the full size shall be recorded without the application being accompanied by an affidavit made by the applicant or some person on his behalf cognizant of the facts—that the legal notices and posts have been put up; that mineral has been found in place on the claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the number one and number two posts shall be set out in full, and as accurate a description as possible of the position of the claim given with reference to some natural object or permanent monuments.

Claims of full size.
Application and affidavit.

SEC. 29 (as amended by sec. 9, Act of Congress of February 6, 1905). That no mineral claim which, at the date of its record, is known by the locator to be less than a full-sized mineral claim, shall be recorded without the word "fraction" being added to the name of the claim, and the application being accompanied by an affidavit or solemn declaration made by the applicant or some person on his behalf cognizant of the facts: That the legal posts and notices have been put up; that mineral has been found in place on the fractional claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the posts numbered one and two shall be set out in full, and as accurate a description as possible of the position of the claim given. A sketch plan shall be drawn by the applicant on the back of the declaration, showing as near as may be the position of the adjoining mineral claims and the shape and size, expressed in meters, of the claim or fraction desired to be recorded: *Provided*, That the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions of this section shall not be deemed to invalidate such location if, upon the facts, it shall appear that such locator has actually discovered mineral in place on said location and that there has been on his part a bona fide attempt to comply with the provisions of this act, and that the nonobservance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

Fractional claims.
Declaration.

Description.

Sketch plan.

Proviso.
Innocent non-compliance with regulations.

SEC. 30. That in cases where, from the nature or shape of the ground, it is impossible to mark the location line of the claim as provided by this act then the claim may be marked by placing posts as nearly as possible to the location line, and noting the distance and direction such posts may be from such location line, which distance and direction shall be set out in the record of the claim.

Difficult demarcations.

SEC. 31 (as amended by sec. 9, Act of Congress of February 6, 1905). That every person locating a mineral claim shall record the same with the provincial secretary, or such

Recording claims.

other officer as by the government of the Philippine Islands may be described as mining recorder of the district within which the same is situate, within thirty days after the location thereof. Such record shall be made in a book to be kept for the purpose in the office of the said provincial secretary or such other officer as by said government described as mining recorder, in which shall be inserted the name of the claim, the name of each locator, the locality of the mine, the direction of the location line, the length in meters, the date of location, and the date of the record. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

Disputes. SEC. 32. That in case of any dispute as to the location of a mineral claim the title to the claim shall be recognized according to the priority of such location, subject to any question as to the validity of the record itself and subject to the holder having complied with all the terms and conditions of this act.

Limit. SEC. 33. That no holder shall be entitled to hold in his, its, or their own name or in the name of any other person, corporation, or association more than one mineral claim on the same vein or lode.

Abandonment. SEC. 34. That a holder may at any time abandon any mineral claim by giving notice, in writing, of such intention to abandon, to the provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder; and from the date of the record of such notice all his interest in such claim shall cease.

Proofs of citizenship. SEC. 35. That proof of citizenship under the clauses of this act relating to mineral lands may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any State or Territory thereof, or of the Philippine Islands, by the filing of a certified copy of their charter or certificate of incorporation.

Mining regulations. SEC. 36 (as amended by sec. 9, Act of Congress of February 6, 1905). That the United States Philippine Commission or its successors may make regulations, not in conflict with the provisions of this Act, governing the location, manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements:

Assessments. On each claim located after the passage of this Act, and until a patent has been issued therefor, not less than two hundred pesos' worth of labor shall be performed or improvements made during each year: *Provided*, That

Proviso. upon a failure to comply with these conditions the claim with ^{re} _{compliance} or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the

same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coowners to contribute his proportion of the expenditures required thereby, the coowners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent coowners personal notice in writing, or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication, such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his coowners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall commence on the first day of January succeeding the date of location of such claim.

Delinquent
part owners.

Assessment
periods.

SEC. 37 (as amended by sec. 9, Act of Congress of February 6, 1905). That a patent for any land claimed and located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this Act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this Act, may file in the office of the provincial secretary, or such other officer as by the government of said islands may be described as mining recorder of the province wherein the land claimed is located, an application for a patent, under oath, showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the chief of the Philippine insular bureau of public lands, showing accurately the boundaries of the claim, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the lands, in the manner following: The provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him

Patents.
Applications.

Notice.

Publication
by mining re-
corder.

Filing certificate, etc. designated as nearest to such claim, and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, a certificate of the chief of the Philippine insular bureau of public lands that one thousand pesos' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary, or such other officer as by the government of said islands may be described as mining recorder, at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer, or the collector of internal revenue, of twenty-five pesos per hectare, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this Act: *Provided*, That where the claimant for a patent is not a resident of or within the province wherein the land containing the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent where said agent is conversant with the facts sought to be established by said affidavits.

Issue of patent in noncontested claims.

Proviso.
Nonresidents.

Oath, etc., of non-resident applicants.

Adverse claims.

SEC. 38. That applicants for mineral patents, if residing beyond the limits of the province or military department wherein the claim is situated, may make the oath or affidavit required for proof of citizenship before the clerk of any court of record, or before any notary public of any province of the Philippine Islands, or any other official in said islands authorized by law to administer oaths.

SEC. 39 (as amended by sec. 9, act of Congress of February 6, 1905). That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed until the controversy shall have been settled or decided

by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence

Proceedings by adverse claimants.

proceedings in a court of competent jurisdiction to determine the question of the right of possession and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim.

After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary, or such other officer as by the government of the Philippine Islands may be described as mining recorder, together with the certificate of the chief of the Philippine insular bureau of public lands that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, twenty-five pesos per hectare for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary, or such other officer as by said government may be described as mining recorder, to the secretary of the interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess. The adverse

Certified copy of Judgment.

claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record, or any notary public of any province or military department of the Philippine Islands, or any other officer authorized to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine insular bureau of public lands, whereupon the provincial secretary or such other officer as by the government of said islands may be described as mining recorder shall certify the proceedings and judgment roll to the secretary of the interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If, in any action brought pursuant to this section, title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to

Payment.

Issuance of patents.

Oaths.

Interest of several persons in one claim.

Title.

Costs.

either party, and the claimant shall not proceed in the office of the provincial secretary or such other officer as by the government of said islands may be described as mining recorder or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent

Alienation of title. the alienation of a title conveyed by a patent for a mining claim to any person whatever.

Claims upon surveyed lands. SEC. 40. That the description of mineral claims upon surveyed lands shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued

On unsurveyed lands. for claims upon unsurveyed lands the chief of the Philippine insular bureau of public lands in extending the surveys shall adjust the same to the boundaries of such patented claim according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

Building stone entries. SEC. 41. That any person authorized to enter lands under this act may enter and obtain patent to lands that are chiefly valuable for building stone under the provisions of this act relative to placer mineral claims.

Petroleum, etc., entries. SEC. 42. That any person authorized to enter lands under this act may enter and obtain patent to lands containing petroleum or other mineral oils and chiefly valuable therefor under the provisions of this act relative to placer mineral claims.

Placer claims. Limit. SEC. 43. That no location of a placer claim shall exceed sixty-four hectares for any association of persons, irrespective of the number of persons composing such association, and no such location shall include more than eight hectares for an individual claimant. Such locations shall conform to the laws of the United States Philippine Commission, or its successors, with reference to public surveys, and nothing in this section contained shall defeat or impair any bona fide ownership of land for agricultural purposes or authorize the sale of the improvements of any bona fide settler to any purchaser.

On surveyed land. SEC. 44. That where placer claims are located upon surveyed lands and conform to legal subdivisions, no further survey or plat shall be required, and all placer mining claims located after the date of passage of this act shall conform as nearly as practicable to the Philippine system of public-land surveys and the regular subdivision of such surveys; but where placer claims can not be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than sixteen hectares shall remain, such fractional portion of agricultural land may be entered by any party qualified by law for homestead purposes.

Establishment of right to patent. SEC. 45. That where such person or association, they and their grantors, have held and worked their claims

for a period equal to the time prescribed by the statute of limitations of the Philippine Islands, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this act, in the absence of any adverse claim; but nothing in this act shall be deemed to impair any lien ^{Prior liens not affected.} which may have attached in any way whatever prior to the issuance of a patent.

SEC. 46. That the chief of the Philippine insular bureau of public lands may appoint competent deputy mineral surveyors to survey mining claims. The expenses of the survey of vein or lode claims and of the survey of placer claims, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any such deputy mineral surveyor to make the survey. The chief of the Philippine insular bureau of public lands shall also have power to establish the maximum charges for surveys and publication of notices under this act; and in case of excessive charges for publication he may designate any newspaper published in a province where mines are situated, or in Manila, for the publication of mining notices and fix the rates to be charged by such paper; and to the end that the chief of the bureau of public lands may be fully informed on the subject such applicant shall file with the provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder, a sworn statement of all charges and fees paid by such applicant for publication and surveys, and of all fees and money paid the provincial treasurer or the collector of internal revenue, as the case may be, which statement shall be transmitted with the other papers in the case, to the secretary of the interior for the Philippine Islands.

SEC. 47. That all affidavits required to be made under this act may be verified before any officer authorized to administer oaths within the province or military department where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the proper provincial secretary or such other officer as by the government of the Philippine Islands may be described as mining recorder. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party can not be found, then by publication at least once a week for thirty days in a newspaper to be designated by the provincial secretary or such other officer as by said government may be described as mining recorder published nearest to the location of such land and in two newspapers published in Manila, one in

^{Appointment of deputy surveyors.}

Expenses.

^{Charges for surveys.}

^{Verification of affidavits.}

^{Testimony, etc.}

Contests.

the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and the provincial secretary or such other officer as by said government may be described as mining recorder shall require proofs that such notice has been given.

Patents of nonmineral lands, etc., for milling, etc. SEC. 48. That where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location of such nonadjacent land shall exceed two hectares, and payment for the same must be made at the same rate as fixed by this act for the superficies of the lode. The owner of a quartz mill or reduction works not owning a mine in connection therewith may also receive a patent for his mill site as provided in this section.

Mill-site patents.

Rules for mines, etc.

Bonds of deputy mineral surveyors.

Protection to vested water rights.

Damages.

All patents subject to vested water rights, etc.

SEC. 49. That as a condition of sale the government of the Philippine Islands may provide rules for working, policing, and sanitation of mines, and rules concerning easements, drainage, water rights, right of way, right of government survey and inspection, and other necessary means to their complete development not inconsistent with the provisions of this act, and those conditions shall be fully expressed in the patent. The Philippine Commission or its successors are hereby further empowered to fix the bonds of deputy mineral surveyors.

SEC. 50. That whenever by priority of possession rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed, but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

SEC. 51. That all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by the preceding section.

SEC. 52. That the government of the Philippine Islands is authorized to establish land districts and provide for the appointment of the necessary officers wherever they may deem the same necessary for the public convenience,

and to further provide that in districts where land offices are established proceedings required by this act to be had before provincial officers shall be had before the proper officers of such land offices.

SEC. 53 (as amended by sec. 9, Act of Congress of February 6, 1905). That every person above the age of twenty-one years who is a citizen of the United States or of the Philippine Islands, or who has acquired the right of a native of said islands under and by virtue of the treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer, have the right to enter any quantity of vacant coal lands of said islands, not otherwise appropriated or reserved by competent authority, not exceeding sixty-four hectares to such individual person, or one hundred and twenty-eight hectares to such association upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than fifty pesos per hectare for such lands, where the same shall be situated more than twenty-five kilometers from any completed railroad or available harbor or navigable stream, and not less than one hundred pesos per hectare for such lands as shall be within twenty-five kilometers of such road, harbor, or stream: *Provided*, That such entries shall be taken in squares of sixteen or sixty-four hectares, in conformity with the rules and regulations governing the public-land surveys of the said islands in plotting legal subdivisions.

SEC. 54. That any person or association of persons, severally qualified as above provided, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry under the preceding section, of the mines so opened and improved.

SEC. 55. That all claims under the preceding section must be presented to the proper provincial secretary within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement therefor; and where the improvements shall have been made prior to the expiration of three months from the date of the passage of this act, sixty days from the expiration of such three months shall be allowed for the filing of a declaratory statement; and no sale under the provisions of this act shall be allowed until the expiration of six months from the date of the passage of this act.

SEC. 56. That the three preceding sections shall be held to authorize only one entry by the same person or association of persons; and no association of persons, any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any

Establish-
ment of land
districts, etc.

Coal-land en-
tries.

Limit.

Minimum
price.

Proviso.
Entries.

Preference
right of entry.

Declaratory
statement.

Limit to en-
tries.

Saline lands. *Infra.* association which shall have taken the benefit of such section shall enter or hold any other lands under their provisions; and all persons claiming under section fifty-eight shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

Conflicting claims. SEC. 57. That in case of conflicting claims upon coal lands where the improvements shall be commenced after the date of the passage of this act, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the passage of this act, division of the land claimed may be made by legal subdivisions, which shall conform as nearly as practicable with the subdivisions of land provided for in this act, to include as near as may be the valuable improvements of the respective parties. The government of the Philippine Islands is authorized to issue all needful rules and regulations for carrying into effect the provisions of this and preceding sections relating to mineral lands.

Saline lands. SEC. 58 (as amended by sec. 9, *Act of Congress of February 6, 1905*). That whenever it shall be made to appear to the secretary of any province or the commander of any military department in the Philippine Islands that any lands within the province are saline in character, it shall be the duty of said provincial secretary or commander, under the regulations of the government of the Philippine Islands, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the secretary of the interior for the Philippine Islands; and if upon such testimony the secretary of the interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be

Auction sales. offered for sale at the office of the provincial secretary, or such other officer as by the said government may be described as mining recorder of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by said government and sold to the highest bidder for cash at a price of not less than six pesos per hectare; and in case such lands fail to sell when so offered, then the same shall

Private sales. be subject to private sale at such office, for cash, at a price not less than six pesos per hectare, in the same manner as other lands in the said islands are sold. All executive

Proclamation of sales. proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed in the English language and one in the Spanish language, at Manila, which shall be designated by said secretary of the interior.

SEC. 59. That no act granting lands to provinces, districts, or municipalities to aid in the construction of roads, or for other public purposes, shall be so construed as to embrace mineral lands, which, in all cases, are reserved exclusively, unless otherwise specially provided in the act or acts making the grant.

Mineral lands reserved from grants for public works.

SEC. 60. That nothing in this Act shall be construed to affect the rights of any person, partnership, or corporation having a valid, perfected mining concession granted prior to April eleventh, eighteen hundred and ninety-nine, but all such concessions shall be conducted under the provisions of the law in force at the time they were granted, subject at all times to cancellation by reason of illegality in the procedure by which they were obtained, or for failure to comply with the conditions prescribed as requisite to their retention in the laws under which they were granted: *Provided*, That the owner or owners of every such concession shall cause the corners made by its boundaries to be distinctly marked with permanent monuments within six months after this Act has been promulgated in the Philippine Islands, and that any concessions the boundaries of which are not so marked within this period shall be free and open to explorations and purchase under the provisions of this Act.

Prior mining concessions not affected.

Provided.
Marking boundary lines.

SEC. 61. That mining rights on public lands in the Philippine Islands shall, after the passage of this Act, be acquired only in accordance with its provisions.

Future mining rights.

SEC. 62. That all proceedings for the cancellation of perfected Spanish concessions shall be conducted in the courts of the Philippine Islands having jurisdiction of the subject-matter and of the parties, unless the United States Philippine Commission, or its successors, shall create special tribunals for the determination of such controversies.

Cancellation of perfected Spanish concessions. Proceedings.

AUTHORITY FOR THE PHILIPPINE ISLANDS GOVERNMENT TO PURCHASE LANDS OF RELIGIOUS ORDERS AND OTHERS AND ISSUE BONDS¹ FOR PURCHASE PRICE.

Acquiring lands from religious orders, etc.

SEC. 63.² That the government of the Philippine Islands is hereby authorized, subject to the limitations and conditions prescribed in this act, to acquire, receive, hold, maintain, and convey title to real and personal property, and may acquire real estate for public uses by the exercise of the right of eminent domain.

Authority conferred to acquire, etc., real and personal property.

SEC. 64.² That the powers hereinbefore conferred in section sixty-three may also be exercised in respect of any lands, easements, appurtenances, and hereditaments which, on the thirteenth of August, eighteen hundred and

Acquisition of property of religious orders, etc.

¹ Bonds exempted from taxation, see secs. 64, 67, and 71 of this Act and sec. 1, Act of Feb. 6, 1905, pp. 24-26, 63.

² By sec. 9, Act of Congress of Aug. 29, 1916, the legislature is empowered to legislate as to the administration and disposition of all lands acquired under the provisions of secs. 63 and 64. See p. 36.

ninety-eight, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as in the opinion of the commission injuriously to affect the peace and welfare of the people of the Philip-

Issue of bonds authorized. pine Islands. And for the purpose of providing funds to acquire the lands mentioned in this section said government of the Philippine Islands is hereby empowered to incur indebtedness, to borrow money, and to issue, and to sell at not less than par value, in gold coin of the United States of the present standard value or the equivalent in value in money of said islands, upon such terms and conditions as it may deem best, registered or coupon bonds of said government for such amount as may be

Denomination. necessary, said bonds to be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding four and a half per centum per annum, payable quarterly, and to be payable at the pleasure of said government after dates named in said bonds, not less than five nor more than thirty years from the date of their issue, together with interest thereon, in gold coin of the United States of the present standard value or the equivalent in value in money of said islands; and

Exempt from taxes, etc. said bonds shall be exempt from the payment of all taxes or duties of said government, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under State, municipal, or local authority in the United States or the Philippine Islands. The moneys which may be realized or received from the issue and sale of said bonds shall be applied by the government of the Philippine Islands to the acquisition of the property authorized by this section, and to no other purposes.

Note.—Under the authority contained in this section land-purchase bonds, 4 per cent, to the amount of \$7,000,000, have been issued. These bonds were redeemable 1914 and are due 1934.

From the funds provided by the sale of these bonds there were purchased from the religious orders 23 estates, containing nearly 400,000 acres of friar lands.

Disposition of property acquired. SEC. 65.¹ That all lands acquired by virtue of the preceding section shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, sold, and conveyed, or leased temporarily for a period not exceeding three years after their acquisition by said government on such terms and conditions as it may prescribe, subject to the limitations and conditions provided for in this Act: *Provided*, That all deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued in payment of said lands by the preceding section

¹ By sec. 9, Act of Congress of Aug. 29, 1916, the legislature is authorized to legislate as to the administration and disposition of these lands. See p. 36.

and said deferred payments shall bear interest at the rate borne by the bonds. All moneys realized or received from sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity. Actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to lease, purchase, or acquire their holdings within such reasonable time as may be determined by said government.

Use of pro-
ceeds.

Preference
rights of set-
tlers, etc.

MUNICIPAL BONDS¹ FOR PUBLIC IMPROVEMENTS.

Municipal
bonds for pub-
lic improve-
ments.

Note.—The provisions contained in sections 66 to 73, inclusive, relative to the issuance of bonds are subject to amendment or alteration by the Philippine Legislature under its general legislative powers and under the authority contained in section 11 of the act of Congress of August 29, 1916 (see p. 37), which provides "where necessary to anticipate taxes and revenues, bonds and other obligations may be issued by the Philippine government or any provincial or municipal government therein, as may be provided by law and to protect the public credit."

May issue
where current
taxation is in-
adequate.

SEC. 66 (as amended by sec. 3, **Act of Congress of February 6, 1905**). That for the purpose of providing funds to construct necessary sewer and drainage facilities to secure a sufficient supply of water and necessary buildings for primary public schools in municipalities, the government of the Philippine Islands may, where current taxation is inadequate for the purpose, under such limitations, terms, and conditions as it may prescribe, authorize, by appropriate legislation, to be approved by the President of the United States, any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value in gold coin of the United States) registered or coupon bonds, in such amount and payable at such time as may be determined to be necessary by the government of said islands, with interest thereon not to exceed five per centum per annum: *Provided*, That the entire indebtedness of any municipality shall not exceed five² per centum of the assessed valuation of the real estate in said municipality, and any obligation in excess of such limit shall be null and void.

Provided.
Limit of in-
debt edness.

SEC. 67. That all municipal bonds shall be in denominations of fifty dollars, or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their

Denomina-
tion of bonds.

Interest.

¹ Bonds exempted from taxation, see secs. 64, 67, and 71 of this Act and sec. 1, Act of Feb. 6, 1905, pp. 24-26, 63.

² Now 7 per cent. See sec. 11, Act of Congress, Aug. 29, 1916, p. 37.

issue, together with the interest thereon, in gold coin of the United States of the present standard value, or its equivalent in value in money of the said islands; and said bonds shall be exempt from the payment of all taxes or duties of the government of the Philippine Islands, or any local authority therein, or the Government of the United States.

Exempt from taxes, etc.

Use of funds received from sale of bonds. SEC. 68.¹ That all moneys which may be realized or received from the issue and sale of said bonds shall be utilized under authorization of the government of the Philippine Islands in providing the municipal improvements and betterments which induced the issue and sale of said bonds, and for no other purpose.

Municipal taxes to pay bond obligations.

SEC. 69.¹ That the government of the Philippine Islands shall, by the levy and collection of taxes on the municipality, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of the bonds of such municipality, and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided*, That if said bonds or any portion thereof shall be paid out of the funds of the government of said islands,

Proviso.

Reimbursement.

such municipality shall reimburse said government for the sum thus paid, and said government is hereby empowered to collect said sum by the levy and collection of taxes on such municipality.

Note.—Under the authority contained in sections 66 to 69, the city of Cebu has issued 4 per cent bonds to the amount of \$125,000, redeemable 1921 and due 1941, which are still outstanding.

Manila.

Issue of bonds for sewers, water supply, etc.

SEC. 70.¹ That for the purpose of providing funds to construct sewers in the city of Manila and to furnish it with an adequate sewer and drainage system and supply of water the government of the Philippine Islands, with the approval of the President of the United States first had, is hereby authorized to permit the city of Manila to

Limit.

incur indebtedness, to borrow money, and to issue and sell (at not less than par value in gold coin of the United States), upon such terms and conditions as it may deem best, registered or coupon bonds of the city of Manila, an amount not exceeding four million dollars law¹ money of the United States, payable at such time or times as may be determined by said government, with interest thereon not to exceed five per centum per annum.

Denominations of bonds.

SEC. 71.¹ That said coupon or registered bonds shall be in denominations of fifty dollars or any multiple thereof bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be paid at the pleasure of the government of the Philippine Islands, after dates named in said bonds not less than nor more than thirty years from the date of the issue, together with the interest thereon in gold coin of the United States of the present standard value, or its equivalent in value in money of the said islands.

Exempt from taxes, etc.

said bonds shall be exempt from the payment of all

or duties of the government of the said islands, or of any local authority therein, or of the Government of the United States.

SEC. 72.¹ That all moneys which may be realized or received from the issue and sale of said bonds shall be utilized under authorization of said government of the Philippine Islands in providing a suitable sewer and drainage system and adequate supply of water for the city of Manila and for no other purpose.

SEC. 73.¹ That the government of the Philippine Islands shall, by the levy and collection of taxes on the city of Manila, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of said bonds and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided*, That if said bonds or any portion thereof shall be paid out of the funds of the government of said islands, said city shall reimburse said government for the sum thus paid, and said government is hereby empowered to collect said sum by the levy and collection of taxes on said city.

Note.—Under the authority contained in sections 70 to 73 there have been issued 4 per cent bonds to the amount of \$4,000,000, as follows:

\$1,000,000, redeemable 1915, due 1935.

\$2,000,000, redeemable 1917, due 1937.

\$1,000,000, redeemable 1918, due 1938.

These bonds are still outstanding.

FRANCHISES.²

SEC. 74.³ (repealed and superseded by sec. 28, Act of Congress of August 29, 1916. See p. 47). That the government of the Philippine Islands may grant franchises, privileges, and concessions, including the authority to exercise the right of eminent domain, for the construction and operation of works of public utility and service, and may authorize said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property of the government of said islands, and may adopt rules and regulations under which the provincial and municipal governments of the islands may grant the right to use and occupy such public property belonging to said provinces or municipalities:

Provided, That no private property shall be taken for any purpose under this section without just compensation paid or tendered therefor, and that such authority to take and occupy land shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the franchise is granted, and that no franchise, privilege, or concession

Use of funds.

Taxes to meet bond obligations.

Proviso.

Reimbursement.

Government authorized to grant franchises.

Proviso.
Private property, etc.

¹ See note preceding sec. 66, p. 25.

² See secs. 4 and 5, act of Feb. 6, 1905, for authority for railroad concession, pp. 63, 64.

³ See par. 14, sec. 4, act of Feb. 6, 1905, affecting, p. 65.

Franchises subject to amendment, etc., by Congress. shall be granted to any corporation except under the conditions that it shall be subject to amendment, alteration, or repeal by the Congress of the United States, and that lands or rights of use and occupation of lands thus

granted shall revert to the governments by which they were respectively granted upon the termination of the franchises and concessions under which they were granted

Issuance of stock, etc., restricted. or upon their revocation or repeal. That all franchises, privileges, or concessions granted under this act shall forbid the issue of stock or bonds except in exchange for actual cash or for property at a fair valuation equal to the par value of the stock or bonds so issued; shall forbid

Dividends. the declaring of stock or bond dividends, and, in the case of public-service corporations, shall provide for the effective regulation of the charges thereof, for the official

Inspection of books, etc. inspection and regulation of the books and accounts of such corporations, and for the payment of a reasonable percentage of gross earnings into the treasury of the Philippine Islands or of the province or municipality within which such franchises are granted and exercised:

Proviso. Slave labor prohibited. Provided further, That it shall be unlawful for any corporation organized under this act, or for any person, company, or corporation receiving any grant, franchise, or concession from the government of said islands, to use,

Penalty. employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude; and any person, company, or corporation so violating the provisions of this act shall forfeit all charters, grants, franchises, and concessions for doing business in said islands, and in addition shall be deemed guilty of an offense, and shall be punished by a fine of not less than ten thousand dollars.

Real estate holdings of corporations. SEC. 75. That no corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it is created, and every corporation authorized to engage in agriculture shall by its charter be restricted to the ownership and control of

Maximum. not to exceed one thousand and twenty-four hectares of land; and it shall be unlawful for any member of a corporation engaged in agriculture or mining and for any corporation organized for any purpose except irrigation to be in any wise interested in any other corporation engaged in agriculture or in mining. Corporations, how-

Loans. ever, may loan funds upon real-estate security and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in the Philippine Islands and doing business therein shall be bound by the provisions of this section so far as they are applicable.

COINAGE.^{1 2}

SEC. 76. That the government of the Philippine Islands is hereby authorized to establish a mint at the city of Manila, in said islands, for coinage purposes, and the coins hereinafter authorized may be coined at said mint. And the said government is hereby authorized to enact laws necessary for such establishment: *Provided*, That the laws of the United States relating to mints and coinage, so far as applicable, are hereby extended to the coinage of said islands.

SEC. 77 (as amended by sec. 4, Act of Congress of March 2, 1903). That the government of the Philippine Islands is authorized to coin for use in said islands a coin of the denomination of fifty centavos and of the weight of two hundred and eight grains, a coin of the denomination of twenty centavos and of the weight of eighty-three and ten one-hundredths grains, and a coin of the denomination of ten centavos and of the weight of forty-one and fifty-five one-hundredths grains; and the standard of said silver coins shall be such that of one thousand parts, by weight, nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.

(Sec. 78 repealed by sec. 13, Act of March 2, 1903, below.)

SEC. 13. That section seventy-eight of the Act of July first, nineteen hundred and two, and all Acts and parts of Acts inconsistent with the provisions of this Act, and all provisions of law in force in the Philippine Islands making any form of money legal tender after December thirty-first, nineteen hundred and three, except as provided in this Act, are hereby repealed. [32 Stat. L., 952.]

Approved, March 2, 1903.

SEC. 79. That the government of the Philippine Islands is also authorized to issue minor coins of the denominations of one-half centavo, one centavo, and five centavos, and such minor coins shall be legal tender in said islands for amounts not exceeding one dollar. The alloy of the five-centavo piece shall be of copper and nickel, to be composed of three-fourths copper and one-fourth nickel. The alloy of the one-centavo and one-half-centavo pieces shall be ninety-five percentum of copper and five per centum of tin and zinc, in such proportions as shall be determined by said government. The weight of the five-centavo piece shall be seventy-seven and sixteen-hundredths grains troy, and of the one-centavo piece eighty grains troy, and of the one-half-centavo piece forty grains troy.

SEC. 80. That for the purchase of metal for the subsidiary and minor coinage, authorized by the preceding sections, an appropriation may be made by the govern-

¹ See further coinage acts of Mar. 2, 1903, June 23, 1906, and act No. 2776, pp. 59, 62, 131.
² By sec. 10, Act of Congress, Aug. 29, 1916 (see p. 37), the Philippine Legislature is authorized to enact laws relative to currency and coinage, but such acts shall not become law until they shall receive the approval of the President of the United States.

ment of the Philippine Islands from its current funds, which shall be reimbursed from the coinage under said sections; and the gain or seigniorage arising therefrom shall be paid into the treasury of said islands.

Place of coinage open-tional. SEC. 81. That the subsidiary and minor coinage herein-before authorized may be coined at the mint of the government of the Philippine Islands at Manila, or arrangements may be made by the said government with the Secretary of the Treasury of the United States for their coinage at any of the mints of the United States, at a charge covering the reasonable cost of the work.

Devices and inscriptions. SEC. 82. That the subsidiary and minor coinage herein-before authorized shall bear devices and inscriptions to be prescribed by the government of the Philippine Islands and such devices and inscriptions shall express the sovereignty of the United States, that it is a coin of the Philippine Islands, the denomination of the coin, and the year of the coinage.

Redemption and reissue of defective coins, etc. SEC. 83. That the government of the Philippine Islands shall have the power to make all necessary appropriations and all proper regulations for the redemption and reissue of worn or defective coins and for carrying out all other provisions of this act relating to coinage.

United States shipping, customs, etc., laws made applicable. SEC. 84. That the laws relating to entry, clearance, and manifests of steamships and other vessels arriving from or going to foreign ports shall apply to voyages each way between the Philippine Islands and the United States and the possessions thereof, and all laws relating

Customs duties. to the collection and protection of customs duties not inconsistent with the act of Congress of March eighth, nineteen hundred and two, "temporarily to provide revenue for the Philippine Islands," shall apply in the case of vessels and goods arriving from said islands in the United States and its aforesaid possessions.

Seamen on foreign voyages. The laws relating to seamen on foreign voyages shall apply to seamen on vessels going from the United States and its possessions aforesaid to said islands, the customs officers there being for this purpose substituted for consular officers.

Transportation of passengers and merchandise. The provisions of chapters six and seven, title forty-eight, Revised Statutes, so far as now in force, and any amendments thereof, shall apply to vessels making voyages either way between ports of the United States or its

Log book entries. R. S., secs. 4252-4292, pp. 820-828. aforesaid possessions and ports in said Islands; and the provisions of law relating to the public health and quarantine shall apply in the case of all vessels entering a port of the United States or its aforesaid possessions from said islands, where the customs officers at the port of departure shall perform the duties required by such law of consular officers in foreign ports.

Transit of merchandise. R. S., sec. 3005, p. 679. Section three thousand and five, Revised Statutes, as amended, and other existing laws concerning the transit of merchandise through the United States, shall apply to merchandise arriving at any port of the United States

destined for any of its insular and continental possessions, or destined from any of them to foreign countries.

Nothing in this act shall be held to repeal or alter any part of the act of March eighth, nineteen hundred and two, aforesaid, or to apply to Guam, Tutuila, or Manua, except that section eight of an act entitled "An act to revise and amend the tariff laws of the Philippine Archipelago," enacted by the Philippine Commission on the seventeenth of September, nineteen hundred and one, and approved by an act entitled "An act temporarily to provide revenues for the Philippine Islands, and for other purposes," approved March eighth, nineteen hundred and two, is hereby amended so as to authorize the civil governor thereof in his discretion to establish the equivalent rates of the money in circulation in said islands with the money of the United States as often as once in ten days.

Former laws continued.

SEC. 85. That the treasury of the Philippine Islands and such banking associations in said islands with a paid up capital of not less than two million dollars and chartered by the United States or any State thereof as may be designated by the Secretary of War and the Secretary of the Treasury of the United States shall be depositories of public money of the United States, subject to the provisions of existing law governing such depositories in the United States: *Provided*, That the treasury of the government of said islands shall not be required to deposit bonds in the Treasury of the United States, or to give other specific securities for the safe-keeping of public money except as prescribed, in his discretion, by the Secretary of War.

Equivalent rates of money.

SEC. 86 (repealed and superseded by sec. 19 of Act of Congress of August 29, 1916. See p. 41). That all laws passed by the government of the Philippine Islands shall be reported to Congress, which hereby reserves the power and authority to annul the same, and the Philippine Commission is hereby directed to make annual report of all its receipts and expenditures to the Secretary of War.

Proviso. Deposit of bonds, etc., not required.

Right to annul all laws reserved by Congress.

BUREAU OF INSULAR AFFAIRS.

SEC. 87. That the Division of Insular Affairs of the War Department, organized by the Secretary of War, is hereby continued until otherwise provided, and shall hereafter be known as the Bureau of Insular Affairs of the War Department. The business assigned to said bureau shall embrace all matters pertaining to civil government in the island possessions of the United States subject to the jurisdiction of the War Department;¹ and the Secretary of War is hereby authorized to detail an officer of the army whom he may consider especially well

Business subject to jurisdiction of War Department.

Bureau of Insular Affairs.

Chief of Bureau.

¹ See Executive Order of the President of Sept. 19, 1916, placing the Philippine Islands under the jurisdiction of the Bureau of Insular Affairs, p. 100.

32 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

Rank. qualified, to act under the authority of the Secretary of War as the chief of said bureau; and said officer while acting under said detail shall have the rank, pay, and allowances of a colonel.¹

Repeal. SEC. 88. That all acts and parts of acts inconsistent with this act are hereby repealed. [32 Stat. L., 691.]

Approved, July 1, 1902.

¹ See acts of Congress of June 25, 1906, Mar. 2, 1907, and Mar. 23, 1910, concerning the chief of bureau and assistants, their rank, etc.

AUTONOMY ACT.

August 29,

CHAP. 416.—An Act To declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands.

1916. [S. 381.]

[Public, No. 240.]

39 Stat. L. p. 545.

Philippine government.

Preamble.

Whereas it was never the intention of the people of the United States in the incipiency of the War with Spain to make it a war of conquest or for territorial aggrandizement; and

Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this Act and the name "The Philippines" as used in this Act shall apply to and include the Philippine Islands ceded to the United States Government by the treaty of peace concluded between the United States and Spain on the eleventh day of April, eighteen hundred and ninety-nine, the boundaries of which are set forth in Article III of said treaty, together with those islands embraced in the treaty between Spain and the United States concluded at Washington on the seventh day of November, nineteen hundred.

Philippine Islands.

Territory included as.

Vol. 30, p. 1755.

SEC. 2. That all inhabitants of the Philippine Islands who were Spanish subjects on the eleventh day of April, eighteen hundred and ninety-nine, and then resided in said islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the United States and Spain, signed at Paris December tenth, eighteen hundred and ninety-eight, and except such others as

Philippine citizenship.

Requirements for.

Vol. 31, p. 1942.

Vol. 30, p. 1754.

¹ Treaty of Peace, see Appendix, pp. 115-121.

Proviso. *Subsequent acquisition by* *vided*, That the Philippine Legislature, herein provided for, is hereby authorized to provide by law for the acquisition of Philippine citizenship by those natives of the Philippine Islands who do not come within the foregoing provisions, the natives of the insular possessions of the United States, and such other persons residing in the Philippine Islands who are citizens of the United States, or who could become citizens of the United States under the laws of the United States if residing therein.

Declaration of rights. *Protection of life, liberty, and property.* SEC. 3. That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws. Private property shall not be taken for public use without just compensation.

Criminal prosecutions. That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

Trials. That no person shall be held to answer for a criminal offense without due process of law; and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself.

Bail, except. That all persons shall before conviction be bailable by sufficient sureties, except for capital offenses.

Contracts. That no law impairing the obligation of contracts shall be enacted.

Imprisonment for debt. *Writs of habeas corpus.* That no persons shall be imprisoned for debt. That the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion, insurrection, or invasion the public safety may require it, in either of which events the same may be suspended by the President, or by the Governor General, wherever during such period the necessity for such suspension shall exist.

Ex post facto laws, etc. That no ex post facto law or bill of attainder shall be enacted nor shall the law of primogeniture ever be in force in the Philippines.

Titles of nobility, etc. That no law granting a title of nobility shall be enacted, and no person holding any office of profit or trust in said islands shall, without the consent of the Congress of the United States, accept any present, emolument, office, or title of any kind whatever from any king, queen, prince, or foreign State.

Excessive bail, etc. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

Seizures, etc. That the right to be secure against unreasonable searches and seizures shall not be violated.

Slavery prohibited. That slavery shall not exist in said islands; nor shall involuntary servitude exist therein except as a punish-

ment for crime whereof the party shall have been duly convicted.

That no law shall be passed abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

That no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed; and no religious test shall be required for the exercise of civil or political rights. No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such. Contracting of polygamous or plural marriages hereafter is prohibited. That no law shall be construed to permit polygamous or plural marriages.

That no money shall be paid out of the treasury except in pursuance of an appropriation by law.

That the rule of taxation in said islands shall be uniform.

That no bill which may be enacted into law shall embrace more than one subject, and that subject shall be expressed in the title of the bill.

That no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

That all money collected on any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury and paid out for such purpose only.

SEC. 4. That all expenses that may be incurred on account of the Government of the Philippines for salaries of officials and the conduct of their offices and departments, and all expenses and obligations contracted for the internal improvement or development of the islands, not, however, including defenses, barracks, and other works undertaken by the United States, shall, except as otherwise specifically provided by the Congress, be paid by the Government of the Philippines.

SEC. 5. That the statutory laws of the United States hereafter enacted shall not apply to the Philippine Islands, except when they specifically so provide, or it is so provided in this Act.

SEC. 6. That the laws now in force in the Philippines shall continue in force and effect, except as altered, amended, or modified herein, until altered, amended or repealed by the legislative authority herein provided or by Act of Congress of the United States.

36 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

**Amendments,
etc., by legisla-
ture.** SEC. 7. That the legislative authority herein provided shall have power, when not inconsistent with this Act, by due enactment to amend, alter, modify, or repeal any law, civil or criminal, continued in force by this Act as it may from time to time see fit.

**Revenue and
tax laws.** This power shall specifically extend with the limitation herein provided as to the tariff to all laws relating to revenue and taxation in effect in the Philippines.

**Philippine
Legislature.
General pow-
ers.** SEC. 8. That general legislative power, except as otherwise herein provided, is hereby granted to the Philippine Legislature, authorized by this Act.

**United States
property rights
transferred.** SEC. 9. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, signed December tenth, eighteen hundred and ninety-five.

Exceptions. eight, except such land or other property as has been or shall be designated by the President of the United States for military and other reservations of the Government of the United States, and all lands which may have been subsequently acquired by the government of the

**Lands from
religious
holders, etc.** Vol. 30, p. 706. SEC. 10. Philippine Islands by purchase under the provisions of sections sixty-three and sixty-four of the Act of Congress approved July first, nineteen hundred and two,¹ except such as may have heretofore been sold and disposed of in accordance with the provisions of said Act of Congress, are hereby placed under the control of the government of said islands to be administered or disposed of for the benefit of the inhabitants thereof, and the Philippine Legislature shall have power to legislate with respect to

**Disposal of
public lands.** all such matters as it may deem advisable; but acts of the Philippine Legislature with reference to land of the public domain, timber, and mining, hereafter enacted, shall not have the force of law until approved by the President of the United States: *Provided*, That upon the

**Provisions.
Approval by
the President.** approval of such an act by the Governor General, it shall be by him forthwith transmitted to the President of the United States, and he shall approve or disapprove the same within six months from and after its enactment and submission for his approval, and if not disapproved within such time it shall become a law the same as if it

**Subsequent
transfers of re-
served lands.** had been specifically approved: *Provided further*, That where lands in the Philippine Islands have been or may be reserved for any public purpose of the United States, and, being no longer required for the purpose for which reserved, have been or may be, by order of the President, placed under the control of the government of said islands to be administered for the benefit of the inhabitants thereof, the order of the President shall be regarded as effectual to give the government of said islands full control and power to administer and dispose of such lands for the benefit of the inhabitants of said islands.

¹ See p. 28.

SEC. 10. That while this Act provides that the Philippine government shall have the authority to enact a tariff law the trade relations between the islands and the United States shall continue to be governed exclusively by laws of the Congress of the United States: *Provided*, That tariff acts or acts amendatory to the tariff of the Philippine Islands shall not become law until they shall receive the approval of the President of the United States, nor shall any act of the Philippine Legislature affecting immigration or the currency or coinage laws of the Philippines become a law until it has been approved by the President of the United States: *Provided further*, That the President shall approve or disapprove any act mentioned in the foregoing proviso within six months from and after its enactment and submission for his approval, and if not disapproved within such time it shall become a law the same as if it had been specifically approved.

SEC. 11. That no export duties shall be levied or collected on exports from the Philippine Islands, but taxes and assessments on property and license fees for franchises, and privileges, and internal taxes, direct or indirect, may be imposed for the purposes of the Philippine government and the provincial and municipal governments thereof, respectively, as may be provided and defined by acts of the Philippine Legislature, and, where necessary to anticipate taxes and revenues, bonds¹ and other obligations may be issued by the Philippine government or any provincial or municipal government therein, as may be provided by law and to protect the public credit: *Provided, however*, That the entire indebtedness of the Philippine government created by the authority conferred herein shall not exceed at any one time the sum of \$15,000,000, exclusive of those obligations known as friar land bonds, nor that of any Province or municipality a sum in excess of seven per centum of the aggregate tax valuation of its property at any one time.

SEC. 12. That general legislative powers in the Philippines, except as herein otherwise provided, shall be vested in a legislature which shall consist of two houses, one the senate and the other the house of representatives, and the two houses shall be designated "The Philippine Legislature": *Provided*, That until the Philippine Legislature as herein provided shall have been organized the existing Philippine Legislature shall have all legislative authority herein granted to the government of the Philippine Islands, except such as may now be within the exclusive jurisdiction of the Philippine Commission, which is so continued until the organization of the legislature herein provided for the Philippines. When the Philippine Legislature shall have been organized, the

¹ Sec. 1, Act of Congress, Feb. 6, 1905, provides for exemption of bonds from taxation. see p. 63.

Jurisdiction, etc., of Commission to be exercised by the Philippine Commission shall thereafter be exercised by the Philippine Legislature.

Senate. Term of members, etc. SEC. 13. That the members of the senate of the Philippines, except as herein provided, shall be elected for terms of six and three years, as hereinafter provided, by the qualified electors of the Philippines. Each of the senatorial districts defined as hereinafter provided shall have the right to elect two senators. No person shall be an elective member of the senate of the Philippines who is not a qualified elector and over thirty years of age, and who is not able to read and write either the Spanish or English language, and who has not been a resident of the Philippines for at least two consecutive years and an actual resident of the senatorial district from which chosen for a period of at least one year immediately prior to his election.

House of representatives. Terms of members, etc. SEC. 14. That the members of the house of representatives shall, except as herein provided, be elected triennially by the qualified electors of the Philippines. Each of the representative districts hereinafter provided for shall have the right to elect one representative. No person shall be an elective member of the house of representatives who is not a qualified elector and over twenty-five years of age, and who is not able to read and write either the Spanish or English language, and who has not been an actual resident of the district from which elected for at least one year immediately prior to his election:

Proviso. Term of members of present assembly. *Provided*, That the members of the present assembly elected on the first Tuesday in June, nineteen hundred and sixteen, shall be the members of the house of representatives from their respective districts for the term expiring in nineteen hundred and nineteen.

Qualification of voters. First election. Subsequent. SEC. 15. That at the first election held pursuant to this act, the qualified electors shall be those having the qualifications of voters under the present law; thereafter and until otherwise provided by the Philippine Legislature herein provided for the qualifications of voters for senators and representatives in the Philippines and all officers elected by the people shall be as follows:

Citizenship and residence. Every male person who is not a citizen or subject of a foreign power twenty-one years of age or over (except insane and feeble-minded persons and those convicted in a court of competent jurisdiction of an infamous offense since the thirteenth day of August, eighteen hundred and ninety-eight), who shall have been a resident of the Philippines for one year and of the municipality in which he shall offer to vote for six months next preceding the day of voting, and who is comprised within one of the following classes:

Present voters. (a) Those who under existing law are legal voters and have exercised the right of suffrage.

(b) Those who own real property to the value of 500 pesos, or who annually pay 30 pesos or more of the established taxes. Property, etc.

(c) Those who are able to read and write either Spanish, English, or a native language. Literacy.

SEC. 16. That the Philippine Islands shall be divided into twelve senate districts, as follows:¹ Senate districts.

First district: Batanes, Cagayan, Isabela, Ilocos Norte, and Ilocos Sur.

Second district: La Union, Pangasinan, and Zambales.

Third district: Tarlac, Nueva Ecija, Pampanga, and Bulacan.

Fourth district: Bataan, Rizal, Manila, and Laguna.

Fifth district: Batangas, Mindoro, Tayabas, and Cavite.

Sixth district: Sorsogon, Albay, and Ambos Camarines.

Seventh district: Iloilo and Capiz.

Eighth district: Negros Occidental, Negros Oriental, Antique, and Palawan.

Ninth district: Leyte and Samar.

Tenth district: Cebu.

Eleventh district: Surigao, Misamis, and Bohol.

Twelfth district: The Mountain Province, Baguio, Nueva Vizcaya, and the Department of Mindanao and Sulu.

The representative districts shall be the eighty-one now provided by law,² and three in the Mountain Province, one in Nueva Vizcaya, and five in the Department of Mindanao and Sulu. Representative districts.

The first election under the provisions of this Act shall be held on the first Tuesday of October, nineteen hundred and sixteen, unless the Governor General in his discretion shall fix another date not earlier than thirty nor later than sixty days after the passage of this Act: First election.

Provided, That the Governor General's proclamation shall be published at least thirty days prior to the date fixed for the election, and there shall be chosen at such election one senator from each senate district for a term of three years and one for six years. Thereafter one senator from each district shall be elected from each senate district for a term of six years: *Provided*, That the Governor General of the Philippine Islands shall

Provisions. Term of senators.

appoint, without the consent of the senate and without restriction as to residence, senators and representatives who will, in his opinion, best represent the senate district and those representative districts which may be Appointive members.

¹ See p. 152.

² The 81 representative districts provided by law were as follows: SEC. 136. *Apportionment of membership of Philippine Assembly.*—The Philippine Assembly consists of eighty-one members, or delegates, elected by the people and apportioned as follows:

Albay, three; Ambos Camarines, three; Antique, one; Bataan, one; Batanes, one; Batangas, three; Bohol, three; Bulacan, two; Cagayan, two; Capiz, three; Cavite, one; Cebu, seven; Ilocos Norte, two; Ilocos Sur, three; Iloilo, five; Isabela, one; Laguna, two; La Union, two; Leyte, four; Manila, two; Mindoro, one; Misamis, two; Nueva Ecija, one; Occidental Negros, three; Oriental Negros, two; Palawan, one; Pampanga, two; Pangasinan, five; Rizal, two; Samar, three; Sorsogon, two; Surigao, one; Tarlac, two; Tayabas, two; and Zambales, one. See p. 153.

Elections included in the territory not now represented in the Philippine Assembly: *Provided further*, That thereafter elections shall be held only on such days and under such regulations as to ballots, voting, and qualifications of electors as may be prescribed by the Philippine Legislature, to which is hereby given authority to redistrict the Philippine Islands and modify, amend, or repeal any provision of this section, except such as refer to appointive senators and representatives.

Terms of elective members. SEC. 17. That the terms of office of elective senators and representatives shall be six and three years, respectively, and shall begin on the date of their election.

In case of vacancy among the elective members of the senate or in the house of representatives, special elections may be held in the districts wherein such vacancy occurred under such regulations as may be prescribed by law, but senators or representatives elected in such cases shall hold office only for the unexpired portion of the term wherein the vacancy occurred. Senators and representatives appointed by the Governor General shall hold office until removed by the Governor General.

Rights of membership, etc. SEC. 18. That the senate and house of representatives, respectively, shall be the sole judges of the elections, returns, and qualifications of their elective members, and each house may determine the rules of its proceedings, punish its members for disorderly behavior, and,

Meetings and organization. with the concurrence of two-thirds, expel an elective member. Both houses shall convene at the capital on the sixteenth day of October next following the election and organize by the election of a speaker or a presiding officer, a clerk, and a sergeant at arms for each house, and such other officers and assistants as may be required. A majority of each house shall constitute a quorum to do business, but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. The legislature shall hold annual sessions, commencing on the sixteenth day of October, or, if the sixteenth day of October be a legal holiday, then on the first day following which is not a legal holiday, in each year. The legislature may be called in special session at any time by the Governor General for general legislation, or for action on such specific subjects as he may designate. No special session shall continue longer than thirty days, and no regular session shall continue longer than one hundred days, exclusive of Sundays. The legislature is hereby given the power and authority to change the date of the commencement of its annual sessions.

Sessions. Annual. The senators and representatives shall receive an annual compensation for their services, to be ascertained by law, and paid out of the treasury of the Philippine Islands. The senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the

Special. The senators and representatives shall receive an annual compensation for their services, to be ascertained by law, and paid out of the treasury of the Philippine Islands. The senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the

Limit. The senators and representatives shall receive an annual compensation for their services, to be ascertained by law, and paid out of the treasury of the Philippine Islands. The senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the

Pay of members. The senators and representatives shall receive an annual compensation for their services, to be ascertained by law, and paid out of the treasury of the Philippine Islands. The senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the

Immunity from arrest, etc. The senators and representatives shall receive an annual compensation for their services, to be ascertained by law, and paid out of the treasury of the Philippine Islands. The senators and representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the

session of their respective houses and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

No senator or representative shall, during the time for which he may have been elected, be eligible to any office ^{Ineligibility for created office, etc.} the election to which is vested in the legislature, nor shall be appointed to any office of trust or profit which shall have been created or the emoluments of which shall have been increased during such term.

SEC. 19. That each house of the legislature shall keep a journal of its proceedings and, from time to time, publish the same; and the yeas and nays of the members of either house, on any question, shall, upon demand of one-fifth of those present, be entered on the journal, and every bill and joint resolution which shall have passed both houses shall, before it becomes a law, be presented to the Governor General. If he approves the same, he shall sign it; but if not, he shall return it with his objections ^{Legislative proceedings.} to that house in which it shall have originated, which shall enter the objections at large on its journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elected to that house shall agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members elected to that house it shall be sent to the Governor General, who, in case he shall then not approve, shall transmit the same to the President of the United States. The vote of each house shall be by the yeas and nays, and the names of the members voting for and against shall be entered on the journal. If the President of the United States approve the same, he shall sign it and it shall become a law. If he shall not approve same, he shall return it to the Governor General so stating, and it shall not become a law: *Provided*, That if any bill or joint resolution shall not be returned by the Governor General as herein provided within twenty days ^{Transmittal to the President.} (Sundays excepted) after it shall have been presented to him the same shall become a law in like manner as if he had signed it, unless the legislature by adjournment prevent its return, in which case it shall become a law unless vetoed by the Governor General within thirty days after adjournment: *Provided further*, That the President of the United States shall approve or disapprove an act ^{Provisions, Bills, etc., not returned by Governor General.} submitted to him under the provisions of this section within six months from and after its enactment and submission for his approval; and if not approved within such time, it shall become a law the same as if it had been specifically approved. The Governor General shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the man-

^{Action of the President.}

^{Veto of separate items in appropriation bills.}

ner heretofore provided in this section as to bills and joint resolutions returned to the legislature without his approval.

Laws to be reported to Congress. All laws enacted by the Philippine Legislature shall be reported to the Congress of the United States, which hereby reserves the power and authority to annul the

Appropriations for government expenses continued. same. If at the termination of any fiscal year the appropriations necessary for the support of government for the ensuing fiscal year shall not have been made, the several sums appropriated in the last appropriation bills for the objects and purposes therein specified, so far as the same may be done, shall be deemed to be reappropriated for the several objects and purposes specified in said last appropriation bill; and until the legislature shall act in such behalf the treasurer shall, when so directed by the Governor General, make the payments necessary for the purposes aforesaid.

Resident Commissioners to the United States. SEC. 20. That at the first meeting of the Philippine Legislature created by this Act and triennially thereafter there shall be chosen by the legislature two Resident Commissioners to the United States, who shall hold their office for a term of three years beginning with the fourth

Election and recognition. day of March following their election, and who shall be entitled to an official recognition as such by all departments upon presentation to the President of a certificate of election by the Governor General of said islands.

Pay and allowances. Each of said Resident Commissioners shall, in addition to the salary and the sum in lieu of mileage now allowed by law,¹ be allowed the same sum for stationery and for the pay of necessary clerk hire as is now allowed to the Members of the House of Representatives of the United States, to be paid out of the Treasury of the United States, and the franking privilege allowed by law to

Eligibility, etc. Members of Congress. No person shall be eligible to election as Resident Commissioner who is not a bona fide elector of said islands and who does not owe allegiance to the United States and who is not more than thirty years of age and who does not read and write the English language.

Term of present Commissioners. The present two Resident Commissioners shall hold office until the fourth of March, nineteen hundred and seventeen.

Vacancies. In case of vacancy in the position of Resident Commissioner caused by resignation or otherwise, the Governor General may make temporary appointments until the next meeting of the Philippine Legislature, which shall then fill such vacancy; but the Resident Commissioner thus elected shall hold office only for the unexpired portion of the term wherein the vacancy occurred.

Governor General. SEC. 21. That the supreme executive power shall be vested in an executive officer, whose official title shall be "The Governor General of the Philippine Islands." He

Executive power vested in him. shall be appointed by the President, by and with the ad-

¹ See sec. 8, Act of Congress July 1, 1902, p. 6. See also pp. 72, 74.

vice and consent of the Senate of the United States, and hold his office at the pleasure of the President and until his successor is chosen and qualified. The Governor General shall reside in the Philippine Islands during his official incumbency, and maintain his office at the seat of government. He shall, unless otherwise herein provided, appoint, by and with the consent of the Philippine Senate, such officers as may now be appointed by the Governor General, or such as he is authorized by this Act to appoint, or whom he may hereafter be authorized by law to appoint; but appointments made while the senate is not in session shall be effective either until disapproval or until the next adjournment of the senate. He shall have general supervision and control of all of the departments and bureaus of the government in the Philippine Islands as far as is not inconsistent with the provisions of this Act, and shall be commander in chief of all locally created armed forces and militia. He is hereby vested with the exclusive power to grant pardons and reprieves and remit fines and forfeitures, and may veto any legislation enacted as herein provided. He shall submit within ten days of the opening of each regular session of the Philippine Legislature a budget of receipts and expenditures, which shall be the basis of the annual appropriation bill. He shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Philippine Islands and of the United States operative within the Philippine Islands, and whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the islands, or summon the posse comitatus, or call out the militia or other locally created armed forces, to prevent or suppress lawless violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privileges of the writ of habeas corpus, or place the islands, or any part thereof, under martial law: *Provided*, That whenever the Governor General shall exercise this authority, he shall at once notify the President of the United States thereof, together with the attending facts and circumstances, and the President shall have power to modify or vacate the action of the Governor General. He shall annually and at such other times as he may be required make such official report of the transactions of the government of the Philippine Islands to an executive department of the United States to be designated by the President,¹ and his said annual report shall be transmitted to the Congress of the United States; and he shall perform such additional duties and functions as may in pursuance of law be delegated or assigned to him by the President.

Residence.

Appoint-
ments author-
ized by.General pow-
ers.Suppression
of violence,
etc.Proviso.
Notification
to the Presi-
dent, etc.Annual re-
port.

¹ The President of the United States, by Executive order dated September 19, 1916, designated the War Department as the executive department to have jurisdiction over all matters pertaining to the government of the Philippine Islands, and assigned such business pertaining to civil government to the Bureau of Insular Affairs. See p. 100.

Executive departments continued. SEC. 22. That, except as provided otherwise in this Act, the executive departments of the Philippine government shall continue as now authorized by law until otherwise provided by the Philippine Legislature.¹ When

Termination of Philippine Commission. the Philippine Legislature herein provided shall convene and organize, the Philippine Commission, as such, shall cease and determine, and the members thereof shall vacate their offices as members of said commission: *Provided*, That the heads of executive departments shall

Provisions of present officials, etc. continue to exercise their executive functions until the heads of departments provided by the Philippine Legislature pursuant to the provisions of this Act are appointed and qualified. The Philippine Legislature may thereafter by appropriate legislation increase the number or abolish any of the executive departments, or make such changes in the names and duties thereof as it may see fit, and shall provide for the appointment and removal of the heads of the executive departments by the Governor General: *Provided*, That all executive functions of the government must be directly under the Governor General or within one of the executive departments under the supervision and control of the Governor General. There is

Bureau of Non- Christian Tribes established. hereby established a bureau, to be known as the Bureau of Non-Christian Tribes, which said bureau shall be embraced in one of the executive departments to be designated by the Governor General, and shall have general supervision over the public affairs of the inhabitants of the territory represented in the legislature by appointive senators and representatives.

Vice governor. Appointment and duties. SEC. 23. That there shall be appointed by the President, by and with the advice and consent of the Senate of the United States, a vice governor of the Philippine Islands, who shall have all of the powers of the Governor General in the case of a vacancy or temporary removal, resignation, or disability of the Governor General, or in

Department of public instruction under. case of his temporary absence: and the said vice governor shall be the head of the executive department, known as the department of public instruction, which shall include the bureau of education and the bureau of health, and he may be assigned such other executive duties as the Governor General may designate.

Department of the interior. Other bureaus now included in the department of public instruction shall, until otherwise provided by the Philippine Legislature, be included in the department of the interior.

Temporary Governor General. The President may designate the head of an executive department of the Philippine government to act as Governor General in the case of a vacancy, the temporary removal, resignation, or disability of the Governor General and the vice governor, or their temporary absence, and the head of the department thus designated shall exercise

¹ The executive departments were reorganized by act No. 2666 of the Philippine Legislature, approved Nov. 18, 1916, which act was revised and superseded by chapter 5 of the Administrative Code. See p. 144.

all the powers and perform all the duties of the Governor General during such vacancy, disability, or absence.

SEC. 24. That there shall be appointed by the President an auditor, who shall examine, audit, and settle all accounts pertaining to the revenues and receipts from whatever source of the Philippine government and of the provincial and municipal governments of the Philippines, including trust funds and funds derived from bond issues; and audit, in accordance with law and administrative regulations, all expenditures of funds or property pertaining to or held in trust by the government or the Provinces or municipalities thereof. He shall perform a like duty with respect to all government branches.

He shall keep the general accounts of the government and preserve the vouchers pertaining thereto.

It shall be the duty of the auditor to bring to the attention of the proper administrative officer expenditures of funds or property which, in his opinion, are irregular, unnecessary, excessive, or extravagant.

There shall be a deputy auditor appointed in the same manner as the auditor. The deputy auditor shall sign such official papers as the auditor may designate and perform such other duties as the auditor may prescribe, and in case of the death, resignation, sickness, or other absence of the auditor from his office, from any cause, the deputy auditor shall have charge of such office. In case of the absence from duty, from any cause, of both the auditor and the deputy auditor the Governor General may designate an assistant who shall have charge of the office.

The administrative jurisdiction of the auditor over accounts whether of funds or property, and all vouchers and records pertaining thereto, shall be exclusive. With the approval of the Governor General he shall from time to time make and promulgate general or special rules and regulations not inconsistent with law covering the method of accounting for public funds and property, and funds and property held in trust by the government or any of its branches: *Provided*, That any officer accountable for public funds or property may require such additional reports or returns from his subordinates or others as he may deem necessary for his own information and protection.

The decisions of the auditor shall be final and conclusive upon the executive branches of the government, except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within one year, in the manner hereinafter prescribed. The auditor shall, except as hereinafter provided, have like authority as that conferred by law upon the several auditors of the United States and the Comptroller of the United States Treasury and is authorized to communicate directly with any person having claims before him

Auditor.
Appointment by the President.
General duties.

Preservation of accounts.

Notices of irregular, etc., expenses.

Deputy auditor.

Administrative jurisdiction of auditor over accounts.

Proviso.
Additional reports from officers.

Effect of decisions.

Direct settlement of claims, etc.

for settlement, or with any department, officer, or person having official relations with his office.

Annual report.—A soon after the close of each fiscal year as the accounts of said year may be examined and adjusted the auditor shall submit to the Governor General and the Secretary of War an annual report of the fiscal concerns of the government, showing the receipts and disbursements of the various departments and bureaus of the government and of the various Provinces and municipalities, and make such other reports as may be required of him by the Governor General or the Secretary of War.

Administration of oaths, etc. In the execution of their duties the auditor and the deputy auditor are authorized to summon witnesses, administer oaths, and to take evidence, and, in the pursuance of these provisions, may issue subpoenas and enforce the attendance of witnesses, as now provided by law.

Office supervision, etc. The office of the auditor shall be under the general supervision of the Governor General and shall consist of the auditor and deputy auditor and such necessary assistants as may be prescribed by law.

Appeals from SEC. 25. That any person aggrieved by the action or decision of the auditor in the settlement of his account or claim may, within one year, take an appeal in writing to the Governor General, which appeal shall specifically set forth the particular action of the auditor to which exception is taken, with the reason and authorities relied on for reversing such decision.

Action on appeal. If the Governor General shall confirm the action of the auditor, he shall so indorse the appeal and transmit it to the auditor, and the action shall thereupon be final and conclusive. Should the Governor General fail to sustain the action of the auditor, he shall forthwith transmit his grounds of disapproval to the Secretary of War, together with the appeal and the papers necessary to a proper understanding of the matter. The decision of the Secretary of War in such case shall be final and conclusive.

Jurisdiction of courts. SEC. 26. That the supreme court and the courts of first instance of the Philippine Islands shall possess and exercise jurisdiction as heretofore provided and such additional jurisdiction as shall hereafter be prescribed by

Municipal jurisdiction as shall hereafter be prescribed by law. The municipal courts of said islands shall possess and exercise jurisdiction as now provided by law, subject in all matters to such alteration and amendment as

Appoint- ments. **Supreme court.** just in all matters to such alteration and amendment as may be hereafter enacted by law; and the chief justice and associate justices of the supreme court shall hereafter be appointed by the President, by and with the advice and consent of the Senate of the United States.

First instance courts. The judges of the court of first instance shall be appointed by the Governor General, by and with the advice and consent of the Senate of the United States.

Proviso. Admiralty jurisdiction. That the admiralty jurisdiction of the supreme court and jurisdiction.

Pending courts of first instance shall not be changed except by cases. Act of Congress. That in all cases pending under the

operation of existing laws, both criminal and civil, the jurisdiction shall continue until final judgment and determination.

SEC. 27. That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the Supreme Court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right, or privilege of the United States is involved, or in causes in which the value in controversy exceeds \$25,000, or in which the title or possession of real estate exceeding in value the sum of \$25,000, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved within the same time, in the same manner, under the same regulations, and by the same procedure, as far applicable, as the final judgments and decrees of the district courts of the United States.

SEC. 28. That the government of the Philippine Islands may grant franchises and rights, including the authority to exercise the right of eminent domain, for the construction and operation of works of public utility and service, and may authorize said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property of the government of said islands, and may adopt rules and regulations under which the provincial and municipal governments of the islands may grant the right to use and occupy such public property belonging to said Provinces or municipalities: *Provided*, That no private property shall be damaged or taken for any purpose under this section without just compensation, and that such authority to take and occupy land shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the franchise is granted, and that no franchise or right shall be granted to any individual, firm, or corporation except under the conditions that it shall be subject to amendment, alteration, or repeal by the Congress of the United States, and that lands or right of use and occupation of lands thus granted shall revert to the governments by which they were respectively granted upon the termination of the franchises and rights under which they were granted or upon their revocation or repeal. That all franchises or rights granted under this Act shall forbid the issue of stock or bonds except in exchange for actual cash or for property at a fair valuation equal to the par value of the stock or bonds so issued; shall forbid the declaring of stock or bond dividends, and, in the case of public-service

Supreme Court of the United States. Jurisdiction specified.

Public utilities. Grant of franchises, etc., authorized.

Provided. General restrictions.

Subject to action by Congress.

Stock and bond limitations, etc.

Labor **ditions.** **con-** corporations, shall provide for the effective regulation of the charges thereof, for the official inspection and regulation of the books and accounts of such corporations, and for the payment of a reasonable percentage of gross earnings into the treasury of the Philippine Islands or of the Province or municipality within which such franchises are granted and exercised: *Provided further*, That it shall be unlawful for any corporation organized under this Act, or for any person, company, or corporation receiving any grant, franchise, or concession from the government of said islands, to use, employ, or contract for the labor of persons held in involuntary servitude; and any person, company, or corporation so violating the provisions of this Act shall forfeit all charters, grants, or franchises for doing business in said islands, in an action or proceeding brought for that purpose in any court of competent jurisdiction by any officer of the Philippine government, or on the complaint of any citizen of the Philippines, under such regulations and rules as the Philippine Legislature shall prescribe, and in addition shall be deemed guilty of an offense, and shall be punished by a fine of not more than \$10,000.

Penalty **for** **violations.** **Salaries.** **Determined** **by** **legislation.** SEC. 29. That, except as in this Act otherwise provided, the salaries of all the officials of the Philippines not appointed by the President, including deputies, assistants, and other employees, shall be such and be so paid out of the revenues of the Philippines as shall from time to time be determined by the Philippine Legislature; and if the legislature shall fail to make an appropriation for such salaries, the salaries so fixed shall be paid without the

Officers, etc. **appointed** **by** **the** **President.** **Specified.** necessity of further appropriations therefor. The salaries of all officers and all expenses of the offices of the various officials of the Philippines appointed as herein provided by the President shall also be paid out of the revenues of the Philippines. The annual salaries of the following-named officials appointed by the President and so to be paid shall be: The Governor General, \$18,000; in addition thereto he shall be entitled to the occupancy of the buildings heretofore used by the chief executive of the Philippines, with the furniture and effects therein, free of rental; vice governor, \$10,000; chief justice of the supreme court, \$8,000; associate justices of the supreme court, \$7,500 each; auditor, \$6,000; deputy auditor, \$3,000.

Provincial **and** **municipal** **officials.** SEC. 30. That the provisions of the foregoing section shall not apply to provincial and municipal officials; their salaries and the compensation of their deputies, assistants, and other help, as well as all other expenses incurred by the Provinces and municipalities, shall be paid out of the provincial and municipal revenues in such manner as the Philippine Legislature shall provide.

Laws **not** **conflicting** **con-** **tinued.** SEC. 31. That all laws or parts of laws applicable to the Philippines not in conflict with any of the provisions of this Act are hereby continued in force and effect.

Approved, August 29, 1916.

MISCELLANEOUS ACTS.

CHAP. 192.—An Act To increase the efficiency of the permanent military establishment of the United States.

Feb. 2, 1901.

[Public, No.

80.]

31 Stats. L.

p. 748.

* * * * *

SEC. 36. That when in his opinion the conditions in the Philippine Islands justify such action the President is authorized to enlist natives of those islands for service in the Army, to be organized as scouts, with such officers as he shall deem necessary for their proper control, or as troops or companies, as authorized by this Act, for the Regular Army. The President is further authorized, in his discretion, to form companies, organized as are companies of the Regular Army, in squadrons or battalions, with officers and noncommissioned officers corresponding to similar organizations in the cavalry and infantry arms. The total number of enlisted men in said native organizations shall not exceed twelve thousand, and the total enlisted force of the line of the Army, together with such native force, shall not exceed at any one time one hundred thousand.

The majors to command the squadrons and battalions shall be selected by the President from captains of the line of the Regular Army, and while so serving they shall have the rank, pay, and allowances of the grade of major. The captains of the troops or companies shall be selected by the President from first lieutenants of the line of the Regular Army, and while so serving they shall have the rank, pay, and allowances of captain of the arm to which assigned. The squadron and battalion staff officers, and first and second lieutenants of companies, may be selected from the noncommissioned officers or enlisted men of the Regular Army of not less than two years' service, or from officers or noncommissioned officers or enlisted men serving, or who have served, in the volunteers subsequent to April twenty-first, eighteen hundred and ninety-eight, and officers of those grades shall be given provisional appointments for periods of four years each, and no such appointments shall be continued for a second or subsequent term unless the officer's conduct shall have been satisfactory in every respect. The pay and allowances of provisional officers of native organizations shall be those authorized for officers of like grades in the Regular Army. The pay, rations, and clothing allowances to be authorized for the enlisted men shall be fixed by the Secretary of War, and shall not exceed those authorized for the Regular Army.

Officers.

—pay, etc.

^{Native officers} _{authorized.} When, in the opinion of the President, natives of the Philippine Islands shall, by their services and character, show fitness for command, the President is authorized to make provisional appointments to the grades of second and first lieutenants from such natives, who, when so appointed, shall have the pay and allowances to be fixed by the Secretary of War, not exceeding those of corresponding grades of the Regular Army.

SPOONER AMENDMENT CONTINUING TEMPORARY GOVERNMENT.

Mar. 2, 1901. **CHAP. 803.**—An Act Making appropriation for the support of [Public, No. the Army for the fiscal year ending June thirtieth, nineteen hundred and two.

31 Stats. L., p. 895.

^{Philippine Islands.}

President authorized to establish temporary civil government in. *All military, civil, and judicial powers necessary to govern the Philippine Islands, acquired from Spain by the treaties concluded at Paris on the tenth day of December, eighteen hundred and ninety-eight, and at*

Washington on the seventh day of November, nineteen-hundred, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion: Provided, That all franchises granted

Proviso. ^{Franchises to contain reservation of right to amend.} *under the authority hereof shall contain a reservation of the right to alter, amend, or repeal the same.*

Reports to be made to Congress, etc. *Until a permanent government shall have been established in said archipelago full reports shall be made to Congress on or before the first day of each regular session of all legislative acts and proceedings of the temporary government instituted under the provisions hereof; and full reports of the acts and doings of said government, and as to the condition of the archipelago and of its people, shall be made to the President, including all information which may be useful to the Congress in providing for*

Proviso. ^{No sale, etc., of public lands.} *a more permanent government: Provided, That no sale or lease or other disposition of the public lands or the timber thereon or the mining rights therein shall be made: And*

Restrictions on grant of franchises. *provided further, That no franchise shall be granted which is not approved by the President of the United States, and is not in his judgment clearly necessary for the immediate government of the islands and indispensable for the interest of the people thereof, and which can not, without great public mischief, be postponed until the establishment of permanent civil government; and all such franchises shall terminate one year after the establishment of such permanent civil government.*

Repeal.

All laws or parts of laws inconsistent with the provision of this Act are hereby repealed.

EXECUTIVE ORDER ORGANIZING CIVIL GOVERNMENT.

WAR DEPARTMENT,

Washington, June 21, 1901.

On and after the fourth day of July, nineteen hundred and one, until it shall be otherwise ordered, the President ^{Civil government established} of the Philippine Commission will exercise the executive authority in all civil affairs in the government of the Philippine Islands heretofore exercised in such affairs by the Military Governor of the Philippines, and to that end the Hon. William H. Taft, President of the said Commission, is hereby appointed ^{Wm. H. Taft appointed civil governor.} Civil Governor of the Philippine Islands. Such executive authority will be exercised under, and in conformity to, the instructions to the Philippine Commissioners, dated April seventh, nineteen hundred, and subject to the approval and control of the Secretary of War of the United States. The ^{Reports of municipal and provincial governments.} municipal and provincial civil governments, which have been, or shall hereafter be, established in said islands, and all persons performing duties appertaining to the offices of civil government in said islands, will, in respect of such duties, report to the said Civil Governor.

The power to appoint civil officers, heretofore vested in the Philippine Commission, or in the Military Governor, will be exercised by the Civil Governor, with the advice and consent of the Commission.

The Military Governor of the Philippines is hereby relieved from the performance, on and after the fourth day of July, of the civil duties hereinbefore described, but his authority will continue to be exercised as heretofore, in those districts in which insurrection against the authority of the United States continues to exist, or in which public order is not sufficiently restored to enable provincial civil governments to be established under the instructions to the Commission dated April seventh, nineteen hundred.

By the President:

ELIHU ROOT,
Secretary of War.

ORGANIZATION OF EXECUTIVE DEPARTMENTS.

[Cablegram from Secretary of War authorizing organization of four executive departments.]

July 1, 1901.

To TAFT, Manila.

* * * You are also authorized to organize four executive departments, Interior, Commerce and Police, Finance and Justice, and Public Instruction.

* * * * *
Root, Secretary of War.

52 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

March 22, 1902. CHAP. 273.—An Act For the acknowledgment of deeds and [Public, No. 55.] other instruments in the Philippine Islands and Porto Rico affecting 32 Stats. L., ing land situate in the District of Columbia or any Territory of pt. 1, p. 88. the United States.

Philippine Islands and Porto Rico. Deeds, etc., affecting lands in District of Columbia and Territories may be acknowledged before notaries in. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That deeds and other instruments affecting land situate in the District of Columbia or any Territory of the United States may be acknowledged in the Philippine Islands and Porto Rico before any notary public appointed therein by proper authority or any officer therein who has ex officio the powers of a notary public: Provided, That the certificate by such notary in the Philippine Islands or in Porto Rico, as the case may be, shall be accompanied by the certificate of the attorney-general of Porto Rico or the governor or attorney-general of the Philippine Islands to the effect that the notary taking said acknowledgment was in fact the officer he purported to be.

April 29, 1902. CHAP. 637.—An Act To facilitate the procurement of statistics [Public, No. 86.] of trade between the United States and its noncontiguous territory. 32 Stats. L., pt. 1, p. 172.

Shipping. Documents required, trade with Hawaii, Porto Rico, Alaska, Philippines, and Guam. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of sections four thousand one hundred and ninety-seven to four thousand two hundred, inclusive, of the Revised Statutes of the United States, requiring statements of quantity and value of goods carried by vessels clearing from the United States to foreign ports, shall be extended to and govern, under such regulations as the Secretary of the Treasury shall prescribe, in the trade between the United States and Hawaii, Porto Rico, Alaska, the Philippine Islands, Guam, and its other noncontiguous territory, and shall also govern in the trade conducted between said islands and territory, and in shipments from said islands or territory to other parts of the United States: Provided, That this law shall not apply in the Philippine Islands during such time as the collectors of customs of those islands are under the jurisdiction of the War Department.

REENACTING CHINESE-EXCLUSION LAWS; REGULATING COMING OF CHINESE PERSONS FROM INSULAR POSSESSIONS; AND PROVIDING FOR ADMISSION TO PARTICIPATE IN EXPOSITIONS.

[Act of April 29, 1902, as amended and reenacted by section 5 of the deficiency act of April 27, 1904 (32 Stat. L., part 1, 176; 33 Stat. L., 394-428)^{1]}]

April 29, 1902. CHAP. 641.—An Act To prohibit the coming into and to regulate the residence within the United States, its Territories, and all 32 Stats. L., territory under its jurisdiction, and the District of Columbia, of pt. 1, p. 176. Chinese and persons of Chinese descent.

¹ For explanation of effect of these acts see 142 Fed., 128.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. All laws in force on the twenty-ninth day of April, nineteen hundred and two, regulating, suspending, or prohibiting the coming of Chinese persons or persons of Chinese descent into the United States, and the residence of such persons therein, including sections five, six, seven, eight, nine, ten, eleven, thirteen, and fourteen of the act entitled "An act to prohibit the coming of Chinese laborers into the United States," approved September thirteenth, eighteen hundred and eighty-eight, be, and the same are hereby, reenacted, extended, and continued, without modification, limitation, or condition; and said laws shall also apply to the island territory under the jurisdiction of the United States, and prohibit the immigration of Chinese laborers, not citizens of the United States, from such island territory to the mainland territory of the United States, whether in such island territory at the time of cession or not, and from one portion of the island territory of the United States to another portion of said island territory: ¹ *Provided, however,* That said laws shall not apply to the transit of Chinese laborers from one island to another island of the same group; and any islands within the jurisdiction of any State or the district of Alaska shall be considered a part of the mainland under this section.

SEC. 2. That the Secretary of Labor ² is hereby authorized and empowered to make and prescribe, and from time to time to change, such rules and regulations not inconsistent with the laws of the land as he may deem necessary and proper to execute the provisions of this act and of the acts hereby extended and continued and of the treaty of December eighth, eighteen hundred and ninety-four, between the United States and China, and with the approval of the President to appoint such agents as he may deem necessary for the efficient execution of said treaty and said acts.

SEC. 3. That nothing in the provisions of this act or any other act shall be construed to prevent, hinder, or restrict, any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, na-

Chinese exclusion.
Immigration prohibited.
Prohibition extended to island territories.

Immigration from island territories to mainland prohibited.

Proviso.
Transit permitted.

Secretary of
Labor to prescribe regulations, etc.

Alien contract labor.
Permission to foreign exhibitors at expositions authorized by Congress.

¹ See Rule 11, p. 54.

² By the act of Feb. 14, 1903, entitled "An act to establish the Department of Commerce and Labor" (32 Stat. L., 825), the Commissioner General of Immigration, the Bureau of Immigration, and the Immigration Service were transferred from the Treasury Department to the Department of Commerce and Labor, and by the act of Mar. 4, 1913, to the Department of Labor.

tives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Labor may prescribe, both as to the admission and return of such person or persons.

Regulations.**Certificates of residence of Chinese in insular territory.**

SEC. 4. That it shall be the duty of every Chinese laborer, other than a citizen, rightfully in, and entitled to remain in, any of the insular territory of the United States (Hawaii excepted) at the time of the passage of this act, to obtain within one year thereafter a certificate of residence in the insular territory wherein he resides, which certificate shall entitle him to residence therein, and upon failure to obtain such certificate as herein provided he shall be deported from such insular territory;

Philippine Commission to prescribe regulations, etc.

and the Philippine Commission is authorized and required to make all regulations and provisions necessary for the enforcement of this section in the Philippine Islands, including the form and substance of the certificate of residence, so that the same shall clearly and sufficiently identify the holder thereof and enable officials to prevent fraud in the transfer of the same: *Provided, however,* That if said Philippine Commission shall find that it is impossible to complete the registration herein provided for within one year from the passage of this act, said commission is hereby authorized and empowered to extend the time for such registration for a further period not exceeding one year.

Proviso. Registration time may be extended.**RULES GOVERNING THE ADMISSION OF CHINESE.¹****RULE 11. CITIZENS AND EXEMPTS RESIDENT IN INSULAR POSSESSIONS AND HAWAII.**

SUBDIVISION 1. *Citizens of insular territory other than Hawaii.*—If Chinese persons of the exempt classes who are citizens of other insular territory of the United States than the Territory of Hawaii desire to go from such insular territory to the mainland or from one insular territory to another, they shall comply with the terms of section 6 of the act approved July 5, 1884. The certificate prescribed by said section shall be granted by officers designated for that purpose by the chief execu-

¹ For laws and rules applying to aliens in general (including Chinese), see immigration pamphlet. Neither the immigration nor the Chinese-exclusion rules are enforced in the Philippine Islands by officers of the Department of Labor, the act of Feb. 6, 1905 (33 Stat. L. 689-692), prescribing that the United States immigration laws shall be administered in said islands by the officers of the general government thereof.

tives of said insular territories, and the duties thereby imposed upon United States diplomatic and consular officers in foreign countries in relation to Chinese persons of the said classes shall be discharged by the officers in charge of the enforcement of the Chinese-exclusion acts at the ports, respectively, from which any members of such excepted classes intend to depart from any insular territory of the United States: ¹ *Provided, however, That the privilege of transit shall be extended to all persons other than laborers, as provided in Rule 18.*

* * * * *

SUBD. 3. *Citizens and exempt residents of the Philippine Islands.*—The Governor General of the Philippine Islands having, by executive order No. 38, of September 23, 1904, designated the collector of customs, Manila, to issue to Chinese citizens of those islands the certificate provided by section 6 of the act of July 5, 1884, and it being impracticable to require that such certificate shall be viséed, officers at ports of entry for Chinese will regard certificates issued to such Philippine citizens in the same manner as certificates issued by officials of foreign countries and viséed by American diplomatic or consular officers. Certificates issued by the Chinese consul general, Manila, to *citizens of the Chinese Republic* residing in the Philippines will be viséed by the collector of customs at Manila, and when so viséed will be accorded the usual consideration.

EXECUTIVE ORDER OF THE GOVERNOR OF THE PHILIPPINE ISLANDS.

GOVERNMENT OF THE PHILIPPINE ISLANDS,
EXECUTIVE BUREAU,
Manila, P. I., September 23, 1904.

**EXECUTIVE ORDER }
No. 38.**

Whereas the Department of Commerce and Labor of the United States has, under date of July 27, 1903, issued a certain rule to regulate the admission of Chinese persons from the Philippine Islands into the mainland territory of the United States and into the insular possessions of the United States other than the Philippine Islands, which said rule is as follows:

[Since the issuance of this order the rule mentioned has been amended; reference should therefore be had to Rule 11, p. 45.]

* * * * *

And whereas it is the desire of the government of the Philippine Islands to afford to such eligible Chinese persons, residents of these islands, as desire to depart out of the same for other parts or possessions of the United States, the privilege so to do and to give evidence of such permission and of the status of each person so permitted in the manner now required by law in the case of

¹ Sec. 1, act of 1902-1904, p. 52.

Chinese persons departing out of a foreign country as nearly as may be: Now, therefore,

* * * The collector of customs for the Philippine Islands is hereby designated to grant such permission in the name of the government of the Philippine Islands to all such Chinese persons as shall have duly established to his satisfaction their eligibility under the law to enter the mainland territory of the United States or any other of its insular possessions.

This permission, and the *prima facie* establishment of the facts showing eligibility, shall be evidenced by a certificate signed and approved by him in analogy to the certificate required by section 6 of the act of Congress of July 5, 1884, and referred to in the rule above cited.

It is further ordered that in the case of Chinese persons coming from the other insular possessions of the United States to the Philippine Islands, bearing certificates issued in pursuance of the rule above mentioned, they shall be accorded at the ports of the Philippine Islands the same rights of entry as they would have did they come possessed of similar certificates issued by a foreign Government.

LUKE E. WRIGHT,
Civil Governor.

June 14, 1902. CHAP. 1088.—An Act To amend sections four thousand and [Public, No. 158.] seventy-six, four thousand and seventy-eight, and four thousand 32 Stats. L., and seventy-five of the Revised Statutes.

pt. 1, p. 386.

Passports.

Issue, etc., in insular posses-
sions.

R. S., sec.
4075, p. 785,
amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four thousand and seventy-five of the Revised Statutes of the United States is hereby amended by inserting after the phrase "consular officers of the United States" the following: "and by such chief or other executive officer of the insular possessions of the United States."

Allegiance nec-
essary.

R. S., sec.
4076, p. 786,
amended.

SEC. 2. That section four thousand and seventy-six of the Revised Statutes is hereby amended so as to read as follows: "No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States."

Passports to
persons not ow-
ing allegiance,
prohibited.

R. S., sec.
4078, p. 786,
amended.

SEC. 3. That section four thousand and seventy-eight is hereby amended so as to read: "If any person acting or claiming to act in any office or capacity under the United States, its possessions, or any of the States of the United States, who shall not be lawfully authorized so to do, shall grant, issue, or verify any passport or other instrument in the nature of a passport to or for any person whomsoever, or if any consular officer who shall be authorized to grant, issue, or verify passports shall knowingly and willfully grant, issue, or verify any such passport to or for any person not owing allegiance, whether

Punishment for
violation.

Trial, etc.

a citizen or not, to the United States, he shall be imprisoned for not more than one year or fined not more than five hundred dollars, or both; and may be charged, proceeded against, tried, convicted, and dealt with therefor in the district where he may be arrested or in custody.

CHAP. 1355.—An Act For the further distribution of the reports of the Supreme Court, and for other purposes. July 1, 1902.
[Public, No. 221.]
32 Stats. L.,
pt. 1, p. 630.

* * * * *

SEC. 2. That the Secretary of the Interior shall likewise distribute to each of the places where circuit and district courts of the United States are now holden, including the Indian Territory, islands of Hawaii and Porto Rico, to which they have not already been supplied under the provisions of the Act of Congress approved February twelfth, eighteen hundred and eighty-nine, and to the Naval Academy at Annapolis and to the Military Academy at West Point, one complete set of the Reports of the Supreme Court, including those already published and those hereafter to be published, or a reprint of the same, or such volumes as with those already furnished will make one complete set, the judges holding such courts to select the edition of such reports to be supplied for such courts; and he shall also distribute to the Secretary of War twelve complete sets for the use of the proper courts and offices of the Philippine Islands and of the headquarters of military departments in the United States, in his discretion, and to each and every place where a new circuit and district court may be hereafter established one complete set of said reports; and the clerks of said courts shall, in all cases, keep these reports for the use of the courts and the officers thereof: *Provided, however,* That no distribution of reports under this section shall be made to any place where the court is not held in a building owned by the United States, or where there is no United States officer to whose responsible custody they can be committed.

* * * * *

Vol. 25, p.
661.

Other places.

Proviso.
Restriction.

CHAP. 1376.—An Act For the suppression of train robbery in the Territories of the United States and elsewhere, and for other purposes. July 1, 1902.
[Public, No. 242.]
32 Stats. L.,
pt. 1, p. 727.

(Included in Penal Code.)

* * * * *

Train robberies in Territories, etc.
Punishment.

CHAP. 334.—An Act To promote the efficiency of the Philippine constabulary, to establish the rank and pay of its commanding officers, and for other purposes. Jan. 30, 1903.
[Public No.
37.]
32 Stats. L.,
pt. 1, p. 783.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the Army of the United States may be detailed for service as chief and assistant chiefs, the said assistant chiefs not to exceed in number four, of the Philippine constabulary, and that during the continuance of such details the officer serving as chief shall have the rank, pay, and allowances of brigadier-general, and the officers serving as assistant chiefs shall have the rank;

Philippine constabulary.
Detail of Army officers

Rank, etc.

Proviso. Philippine pay, and allowances of colonel: *Provided*, That the difference between the pay and allowances of brigadier-general and colonel, as herein provided, and the pay and allowances of the officers so detailed in the grades from which they are detailed shall be paid out of the Philippine treasury.

Assistance of Philippine scouts. SEC. 2. That any companies of Philippine scouts ordered to assist the Philippine constabulary in the maintenance of order in the Philippine Islands may be placed under the command of officers serving as chief or assistant chiefs of the Philippine constabulary, as herein provided.

Proviso. Rank of commanding officers. *Provided*, That when the Philippine scouts shall be ordered to assist the Philippine constabulary, said scouts shall not at any time be placed under the command of inspectors or other officers of the constabulary below the grade of assistant chief of constabulary.

Feb. 9, 1903. **CHAP. 529.**—An Act To provide for the removal of persons [Public No. 72.] accused of crime to and from the Philippine Islands for trial.

32 Stats. L., pt. 1, p. 806. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Philippine Islands. That the provisions of section ten hundred and fourteen of the Revised Statutes, so far as applicable, *Extradition laws applied* shall apply throughout the United States for the arrest to R. S., *sec. 1014*, p. 189. and removal therefrom to the Philippine Islands of any fugitive from justice charged with the commission of any crime or offense against the United States within the Philippine Islands, and shall apply within the Philippine Islands for the arrest and removal therefrom to the United States of any fugitive from justice charged with the commission of any crime or offense against the United

Procedure. Such fugitive may, by any judge or magistrate of the Philippine Islands, and agreeably to the usual mode of process against offenders therein, be arrested and imprisoned, or bailed, as the case may be, pending the issuance of a warrant for his removal to the United States, which warrant it shall be the duty of a judge of the court of first instance seasonably to issue, and of the officer or agent of the United States designated for the purpose to execute. Such officer or agent, when engaged in executing such warrant without the Philippine Islands, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safe-keeping and the execution of the warrant.

Authority to transfer criminals. SEC. 2. That the provisions of sections fifty-two hundred and seventy-eight and fifty-two hundred and seventy-nine of the Revised Statutes, so far as applicable, *R. S. secs. 5278, 5279, pp. 1022, 1023.* shall apply to the Philippine Islands, which, for the purposes of said sections, shall be deemed a Territory within the meaning thereof.

Note: See also page 68.

CHAP. 980.—An Act To establish a standard of value and to provide for a coinage system in the Philippine Islands. Mar. 2, 1903.
[Public No. 137.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unit of value in the Philippine Islands shall be the gold peso consisting of twelve and nine-tenths grains of gold, nine-tenths fine, said gold peso to become the unit of value when the government of the Philippine Islands shall have coined and ready for, or in, circulation not less than five million of the silver pesos hereinafter provided for in this Act, and the gold coins of the United States at the rate of one dollar for two pesos hereinafter authorized to be coined shall be legal tender for all debts, public and private, in the Philippine Islands.

SEC. 2. That in addition to the coinage authorized for use in the Philippine Islands by the Act of July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,"¹ the government of the Philippine Islands is authorized to coin to an amount not exceeding seventy-five million pesos, for use in said islands, a silver coin of the denomination of one peso and of the weight of four hundred and sixteen grains, and the standard of said silver coins shall be such that of one thousand parts, by weight, nine hundred shall be of pure metal and one hundred of alloy, and the alloy shall be of copper.

SEC. 3. That the silver Philippine peso authorized by this Act shall be legal tender in the Philippine Islands for all debts, public and private, unless otherwise specifically provided by contract: *Provided*, That debts contracted prior to the thirty-first day of December, nineteen hundred and three, may be paid in the legal-tender currency of said islands existing at the time of the making of said contracts, unless otherwise expressly provided by contract.

SEC. 4 (amends sec. 77, Act of July 1, 1902. See p. 29).
SEC. 5. That the Philippine peso herein authorized and the subsidiary silver coins authorized by section seventy-seven of the Act of July first, nineteen hundred and two, as amended by the preceding section of this Act, shall be coined under the authority of the government of the Philippine Islands in such amounts as it may determine, with the approval of the Secretary of War of the United States, except as limited in section two of this Act, from silver bullion purchased by said government, with the approval of the Secretary of War of the United States: *Provided*, That said government may, in its discretion, in lieu of the purchase of bullion, recoin any of the silver coins now in or hereafter received by the treasury of the government of the Philippine Islands into

Silver coins.

Silver peso authorized.

To be a legal tender.

Proviso.
Payment of debts prior to December 31, 1903.

Subsidiary silver coins.
Weight increased.
To be coined from bullion purchased.

Proviso.
Re coinage permitted.

¹ See p. 29.

the coins provided for in this Act or in the Act of July first, nineteen hundred and two, as herein amended, at such rate and under such regulations as it may prescribe; and the subsidiary silver coins authorized by this Act and by the Act of July first, nineteen hundred and two, shall be legal tender in said islands to the amount of ten dollars.

Legal tender value of subsidiary coins. **Limitations, etc.** SEC. 6. That the coinage authorized by this Act shall be subject to the conditions and limitations of the provisions of the Act of July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," except as herein otherwise provided; and the government of the Philippine Islands may adopt such measures as it may deem proper, not inconsistent with said Act of July first, nineteen hundred and two,¹ to maintain the value of the silver Philippine peso at the rate of one gold peso, and in order to maintain such parity between said silver Philippine pesos and the gold pesos herein provided for, and for no

Maintenance of parity between silver and gold pesos. **Issue of temporary certificates of indebtedness.** other purpose, may issue temporary certificates of indebtedness, bearing interest at a rate not to exceed four per centum annually, payable at periods of three months or more, but not later than one year from the date of issue, which shall be in the denominations of twenty-five dollars, or fifty pesos, or some multiple of such sum, and

Redemption. shall be redeemable in gold coin of the United States, or in lawful money of said islands, according to the terms

Maximum amount. of issue prescribed by the government of said islands; but the amount of such certificates outstanding at any one time shall not exceed ten million dollars, or twenty mil-

Exempt from taxation. lion pesos, and said certificates shall be exempt from the payment of all taxes or duties of the government of the Philippine Islands, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under any State, municipal, or local authority in the United States or the Philippine Islands:

Provided. **Use of proceeds.** *Provided*, That all the proceeds of said certificates shall be used exclusively for the maintenance of said parity, as herein provided, and for no other purpose, except that a sum not exceeding three million dollars at any one time may be used as a continuing credit for the purchase of silver bullion in execution of the provisions of this Act.

Silver coins now in use received until January 1, 1904. SEC. 7. That the Mexican silver dollar now in use in the Philippine Islands and the silver coins heretofore issued by the Spanish Government for use in said islands shall be receivable for public dues at a rate to be fixed from time to time by the proclamation of the civil governor of said islands until such date, not earlier than the first day of January, nineteen hundred and four, as may be fixed by public proclamation of said civil governor,

¹ See p. 29.

when such coins shall cease to be so receivable: *Provided*, That the public offices of the government of said islands shall give a preference for all public dues to the silver pesos and the silver certificates authorized by this Act, and may at any time refuse to receive such Mexican dollars and Spanish coins as may appear to be counterfeit or defective.

Proviso.
Preferences.

SEC. 8 (as amended by sec. 2, Act of Congress of February 6, 1905, and of Act of June 23, 1906). That the treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive at the treasury of the government of the said islands or any of its branches deposits of the standard silver coins of one peso authorized by this Act to be coined, in sums of not less than twenty pesos, Philippine currency, and to issue certificates therefor in denominations of not

Issue of cer-
tificates for
pesos depos-
ited.

less than two pesos nor more than five hundred pesos, and coin so deposited shall be retained in the treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and for all public dues in the Philippine Islands, and when so received may be reissued, and when held by any banking association in said islands may be counted as a part of its lawful reserve: *Provided*, That the treasurer of the Philippine Islands, with the approval of the governor-general, may substitute for any part of such silver pesos hereafter deposited, gold coin of the United States legally equivalent in value, and redeem the certificates hereafter issued in either silver pesos or such gold coin of equivalent value at the option of the Treasurer: *Provided further*, That the amount of gold coin held in such reserve shall not at any time exceed sixty per centum of the total amount of certificates outstanding.

Denomina-
tion.

Proviso.
substitution
of United
States gold for
reserve.

SEC. 9. That for the purchase of metal for the silver Philippine pesos authorized by this Act, an appropriation may be made by the government of the Philippine Islands from its current funds, or as hereinbefore authorized, which shall be reimbursed from the coinage under said sections.

Purchase of
bullion.

SEC. 10. That the silver Philippine pesos hereinbefore authorized may be coined at the mint of the government of the Philippine Islands at Manila, or arrangements may be made by the said government with the Secretary of the Treasury of the United States for their coinage or any portion thereof at any of the mints of the United States, at a charge covering the reasonable cost of the work.

Place of
coinage.

SEC. 11. That the silver Philippine peso hereinbefore authorized shall bear devices and inscriptions to be prescribed by the government of the Philippine Islands, and such devices and inscriptions shall express the sovereignty of the United States, that it is a coin of the Philippine Islands, the denomination of the coin, and the year of the coinage.

Devices and
inscriptions.

Preparation of notes and certificates. SEC. 12. That the Secretary of the Treasury is hereby authorized and directed, when requested by the government of the Philippine Islands, to cause to be made and prepared any drawings, designs, and plates, and execute any coinage, engraving, or printing of notes and certificates authorized by this Act, and to make a proper charge for the same, covering as nearly as may be the actual cost, which shall be defrayed from the revenues of said islands.

SEC 13 (repeals sec. 78, of the Act of July 1, 1902). [32 Stat. L., 952.]

Approved, March 2, 1903.

June 23, 1906. **CHAP. 3521.**—An Act To amend an Act approved March 274. [S. 6248.] second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the [Public, No. 34 Stat. L., pt. 1, p. 453. *Philipine* Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with the approval of the President of the Change in weight and fineness, silver United States, the government of the Philippine Islands is hereby authorized, whenever in its opinion such action is desirable, in order to carry out the provisions of section six of the Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," to change the weight and fineness of the silver coins authorized by said Act, and may in its discretion provide a weight and fineness proportionately less for subsidiary coins than for the standard Philippine pesos, and may also in its discretion recoin any of the existing coins of the Philippine Islands at the new weight and fineness when such coins are received into the Treasury or into the gold standard fund of the Philippine Islands: *Provided*, That the weight and fineness of the silver peso to be coined in accordance with the provisions of this section shall not be reduced below seven hundred parts of pure silver to three hundred of alloy.

Subsidiary coins. **Proviso.** *Minimum fineness.* SEC. 2 (amends sec. 8 of the Act of March 2, 1903).

Feb. 6, 1905. **CHAP. 453.**—An Act To amend an Act approved July first, 1905. [H. R. 14623.] nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all bonds issued by the government of the Philippine Islands, or by its authority, shall be exempt from taxation¹ by the Government of the United States, or by the government of the Philippine Islands or of any political or municipal subdivision thereof, or by any State, or by any county, municipality, or other municipal subdivision of any State or Territory of the United States, or by the District of Columbia.

SEC. 2.² *That for the purpose of providing funds to construct port and harbor works, bridges, roads, buildings for provincial and municipal schools, court-houses, penal institutions, and other public improvements for the development of the Philippine Islands by the general government thereof, the said government is authorized from time to time to incur indebtedness, borrow money, and to issue and sell therefor (at not less than par value in gold coin of the United States) registered or coupon bonds of such denominations and payable at such time or times, not later than forty years after the date of the approval of this Act, as may be determined by said government, with interest thereon not to exceed four and one-half per centum per annum: *Provided*, That the entire indebtedness of said government created by the authority conferred by this section shall not exceed at any one time the sum of five million dollars.³ *And provided further*, That the law of said government creating the indebtedness and authorizing the issue of the bonds under this section shall be approved by the President of the United States.*

Note.—Under the authority contained in this section there have been issued 4 per cent public works and improvement bonds in the sum of \$5,000,000, as follows:

\$2,500,000, redeemable 1915, due 1935.
\$1,000,000, redeemable 1916, due 1936.
\$1,500,000, redeemable 1919, due 1939.

SEC. 3 (amends sec. 66, Act of July 1, 1902. See p. 25). **SEC. 4.** *That for the purpose of aiding in the construction, equipment, operation, and maintenance of such railroads, using steam, electricity, or other power, in the Philippine Islands as the Philippine government may hereafter specifically authorize, the said government is empowered to enter into a contract of guaranty with any railroad company organized pursuant to the laws of said government or of the United States or any State thereof undertaking to construct, equip, operate, and maintain any such railroad, whereby the said government shall guarantee interest, at not exceeding four per centum per annum upon first lien bonds to be issued by such company, properly secured by mortgage or deed of trust upon*

¹ Affects secs. 64 and 66, act of July 1, 1902, pp. 24, 25.

² See sec. 11, act of Congress of Aug. 29, 1916, p. 37.

³ Increased to \$15,000,000, see sec. 11, act of Congress of Aug. 29, 1916. See p. 37.

the said railroad, its equipment, franchises, and other property, real, personal, and mixed, then owned and thereafter to be acquired.

Conditions. Such contract of guaranty shall be signed on behalf of said government by the governor-general thereof, and on behalf of the railroad company undertaking the construction, equipment, maintenance, and operation of said railroad by the chief officer thereof, thereunto duly authorized by the stockholders and directors of the same, and shall contain, among others, the following provisions:

Bond issue limited to amount in which is to be guaranteed First. That the total amount of bonds the interest upon which is to be guaranteed shall in no event exceed the amount actually invested in cash in the construction and equipment of such railroad, to be determined as herein-after provided.

Priority of government liens. Second. That no debt except as above provided shall be incurred by the said undertaking railroad company, its successors or assigns, by which a lien shall be created upon such railroad, its equipment or other property, prior to the lien of said government to secure the repayment of the interest paid by it under said guaranty without the consent of the Congress.

Time of construction. Third. That the said railroad shall be constructed and equipped within the time limited in the first instance by the Philippine government, or any extension of said time granted by said government for good cause shown.

Use of gross earnings. Fourth. That after the construction and equipment of said railroad in accordance with the foregoing provisions and all others of the contract of guaranty, the railroad shall apply its gross earnings as follows: First, to the necessary operating expenses, including reasonable expenses of the corporation; second, to the necessary and ordinary repairs of said railroad and its equipment; third, to such betterments and extraordinary repairs of said railroad or equipment as may be first by the governor-general of the islands, in writing, expressly consented to; fourth, to the payment of the interest on the bonds, the interest on which to any extent shall have been guaranteed by the Philippine government under this section.

Execution of guaranty contract restricted. The contract of guaranty shall be in substance indorsed upon said bonds and signed by the treasurer of said government, and the said contract of guaranty shall not be

Completion of railroad in certain mileage required. executed except upon satisfactory proof of the completion of the railroad in sections of not less than twenty continuous miles each,¹ and in such proportion, to be fixed from time to time by said government, as the actual capital invested in completed road and acquired equipment shall bear to the capital required for the completion and equipment of the entire road, to be determined by the said government.

¹ Res. 63 of the Philippine Commission (Apr. 11, 1911) recommends that this be changed to 10 kilometers.

All payments made under any such guaranty shall be Lien for interest paid from the time the same are paid a lien upon said railroad and its property then owned and thereafter to be acquired subject only to the lien of the mortgage or deed of trust executed to secure the bonds, the interest upon which shall have been so guaranteed, and the total sum paid under such guaranty shall at the expiration thereof be payable to said Philippine government upon demand, and in default of such payment the said lien shall be immediately forecloseable.

Provided, That in no event shall the total annual contingent liability of said government under the guaranties authorized by this section at any time exceed the sum of one million two hundred thousand dollars, and no such guaranty shall continue for a longer period than thirty years.

For the further security of the Philippine government said government shall declare the proper rules for ascertaining clearly the cash capital actually invested in said railroads and the net income actually received on said capital so invested, and shall provide for supervision by said Philippine government, through the auditing, engineering and railroad bureaus thereof and by such other agencies as may be fixed by law, of the conduct of the finances of the road, and of its location, construction, operation, and maintenance.

The Philippine government shall appoint two members of the board of directors of any undertaking company the interest on whose bonds shall be guaranteed as provided in this section.

Each such railroad company shall make such reports from time to time as to its receipts and expenditures, in such form and substance and sworn to by such officials, as may be prescribed by the Philippine government.

The supreme court of the Philippine Islands shall have original and exclusive jurisdiction in all actions, proceedings or suits at law or in equity brought by the Philippine government against any person or corporation involving the construction of this section or any right existing under, duty enjoined or act prohibited by said section or any contract made in pursuance thereof; and jurisdiction is hereby vested in the supreme court to make such order, to enter such judgment or decree and to take such proceedings in enforcement thereof as may be proper. During the vacations of said court the chief justice or any judge thereof shall have all the power to grant restraining orders, orders of injunction, to appoint receivers, or to do any other act under authority herein granted, that a judge of a court of general jurisdiction may do in the vacation of court.

Section seventy-four of an Act entitled "An Act Franchise grants temporarily to provide for the administration of the af-

fairs of civil government in the Philippine Islands, and for other purposes," approved July first, nineteen hundred and two, so far as the same is not in conflict with the provisions of this section, is hereby made applicable to the corporations the interest upon whose bonds or any part thereof shall be guaranteed under the provisions hereof.

Construction, etc., material admitted free of duty. SEC. 5. That material imported into the Philippine Islands for the construction and equipment of railroads therein may, in the discretion of the general government of said islands, under rules and regulations to be by it prescribed, be admitted free of duty.

Immigration. SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

Use of funds. SEC. 7 (this section is partly amended and superseded by section 29 of the Act of Congress of August 29, 1916. See also section 26 of the same Act). *That the government of the Philippine Islands is hereby authorized to prescribe the compensation for the chief justice and associate justices of the supreme court of the islands, not to exceed ten thousand five hundred dollars for the chief justice and ten thousand dollars for each associate justice per annum.* Whenever, by reason of temporary disability of any judge of the supreme court or by reason of vacancies occurring therein, a quorum of the court shall not be present for business, the governor-general of said islands is authorized to designate a judge or judges of the court of first instance in the islands to sit and act temporarily as a judge or judges of the supreme court in order to constitute a quorum of said supreme court for business. If a judge so designated shall not have his usual place of residence at the city of Manila, he shall be allowed his traveling expenses from his usual place of residence to Manila and return and the sum of ten pesos, Philippine currency, a day for the period during which he is engaged in the supreme court, the period to be calculated from the time he leaves his usual place of residence until his return from Manila.

Governor-general to be title of civil governor. SEC. 8 (amended and superseded by sec. 21 of the Act of Congress of August 29, 1916. See p. 42). *That the civil governor of the Philippine Islands shall hereafter be known as the governor general of the Philippine Islands.*

Mineral lands. SEC. 9. That sections twenty-two, twenty-three, twenty-four, twenty-five, twenty-nine, thirty-one, thirty-six, thirty-seven, thirty-nine, fifty-three, and fifty-eight of the Act of Congress approved July first, nineteen hundred and

two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," being provisions of said Act respecting mineral lands, are hereby amended by reducing all measurements therein, whether of distance, area, or value, to the metric system, to wit, feet to meters, acres to hectares, miles to kilometers, and also dollars to pesos, so that said sections as amended shall read as follows:

(Sec. 9, above, amends secs. 22, 23, 24, 25, 29, 31, 36, 37, 39, 53, and 58, Act of July 1, 1902, which see.)

SEC. 10 (amends sec. 8, Act of March 2, 1903, and is amended by Act of June 23, 1906, p. 61.)

SEC. 11. That the government of the Philippine Islands is hereby authorized to modify, suspend, or repeal the provisions respecting tonnage dues set forth in sections fourteen and fifteen of an Act entitled "An Act to revise and amend the tariff laws of the Philippine Archipelago," enacted by the Philippine Commission on the seventeenth day of September, nineteen hundred and one, and confirmed by an Act of Congress approved March eighth, nineteen hundred and two entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes."

SEC. 12. That all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed. [33 Stat. L., p. 689.]

Approved, February 6, 1905.

Measurements reduced to metric system.

Values to pesos.

Issue of certificates for pesos deposited.

Tonnage tax on foreign vessels.

Right to modify, etc., granted.

Repeal clause.

CHAP. 1826.—An Act To relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November twentieth, nineteen hundred and one, of articles subject to internal-revenue tax.

Apr. 28, 1904.
[H. R. 13088.]

[Public No. 258.]

33 Stats. L.

pt. 1, p. 574.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all bonds given to the United States prior to November twentieth, nineteen hundred and one, upon the transportation and shipment to the Philippine Islands of articles subject under existing statutes to the payment of internal-revenue tax, which are in form given for the proper exportation of the article therein described to a foreign country free of internal-revenue tax, or with benefit of drawback, as the case may be, shall be treated in all respects as if given for and upon a shipment to a foreign country, and shall be canceled upon presentation of evidence of the shipment to a port of the Philippine Islands, or of landing at such port of a foreign country, same as if such port were a port of a foreign country. The obligors upon any of such bonds shall have such reasonable time from and after the passage of this Act as may be prescribed by the Secretary of the Treasury

Philippine Islands.
Cancellation of certain export bonds on articles shipped to.

Time for presenting claims.

within which to present the evidence required by existing statutes for the cancellation of such bonds.

Feb. 6, 1905.
[H. R. 17646.] **CHAP. 454.**—An Act To extend certain provisions of the Revised Statutes of the United States to the Philippine Islands.

[Public, No. 44.] 33 Stat. L. pt. 1, p. 698. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of sections fifty-two hundred and seventy, fifty-two hundred and seventy-one.

Philipine Islands. Extradition provisions extended to.

fifty-two hundred and seventy-two, fifty-two hundred and seventy-three, fifty-two hundred and seventy-four, fifty-two hundred and seventy-five, fifty-two hundred and seventy-six, and fifty-two hundred and seventy-seven of the Revised Statutes (as amended by the Act approved August third, eighteen hundred and eighty-two), so far as applicable, shall apply to the Philippine Islands for the arrest and removal therefrom of any fugitives from justice charged with the commission within the jurisdiction of any foreign government of any of the crimes provided for by treaty between the United States and such foreign nation, and for the delivery by a foreign government of any person accused of crime committed within the jurisdiction of the Philippine Islands. Such fugitive from justice of a foreign country may, upon warrant duly issued by any judge or magistrate of the Philippine Islands, and agreeably to the usual mode of process against offenders therein, be arrested and brought before such judge or magistrate, who shall proceed in the matter in accordance with the provisions of the Revised Statutes hereby made applicable to the Philippine Islands:

Proviso. Warrant is sued by gov- ernor. **Provided.** That for the purposes of this section the order or warrant for delivery of a person committed for extradition prescribed by section fifty-two hundred and seventy-two of the Revised Statutes shall be issued by the governor of the Philippine Islands under his hand and seal of office, and not by the Secretary of State.

Escape of prisoners. **SEC. 2.** That the provisions of sections fifty-four hundred and nine and fifty-four hundred and ten of the Revised Statutes are hereby made applicable to proceedings in extradition from the Philippine Islands, either to the United States under an Act entitled "An Act to provide for the removal of persons accused of crime to and from the Philippine Islands for trial," approved February ninth, nineteen hundred and three, or to foreign countries under the provisions of this Act. (See also p. 58.)

Feb. 8, 1905.
[H. R. 9493.] **CHAP. 550.**—An Act To amend the Act of February eighth, eighteen hundred and ninety-seven, entitled "An Act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory," so as to prevent the importation and exportation of the same.

(The provisions of this Act pertain to "carriage from one State or Territory of the United States or the District

of Columbia into any other State, or Territory of the United States or the District of Columbia, or from any place in or subject to the jurisdiction of the United States to a foreign country, or from any place in or subject to the jurisdiction of the United States through a foreign country to any place in or subject to the jurisdiction of the United States.”)

Note: Included in penal code.

CHAP. 592.—An Act To authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian Tribes, and to protect the same. Feb. 20, 1905.
[H. R. 16560.]
[Public, No. 84.]
33 Stat. L., pt. 1, p. 724.

* * * * *

SEC. 29. That in construing this Act the following rules must be observed, except where the contrary intent is plainly apparent from the context thereof: The United States includes and embraces all territory which is under the jurisdiction and control of the United States. The word “States” includes and embraces the District of Columbia, the Territories of the United States, and such other territory as shall be under the jurisdiction and control of the United States.

CHAP. 720.—An Act To prevent the use of devices calculated to convey the impression that the United States Government certifies to the quality of gold or silver used in the arts. Feb. 21, 1905.
[H. R. 15578.]
[Public, No. 86.]
33 Stats. L., pt. 1, p. 732.

(The provisions of this Act pertain to the “several States, Territories, District of Columbia, and possessions of the United States.”)

CHAP. 2081.—An Act To amend the laws of the United States relating to the registration of trade-marks.

(Amends Act of Feb. 20, 1905, see p. 69.)

May 4, 1906.
[H. R. 15911.]

[Public No. 146.]

34 Stat. L., p. 168.

June 13, 1906.
[H. R. 14804.]

[Public, No. 226.]

34 Stat. L., pt. 1, p. 260.

CHAP. 3289.—An Act Forbidding the importation, exportation, or carriage in interstate commerce of falsely or spuriously stamped articles of merchandise made of gold or silver or their alloys, and for other purposes.

(This Act pertains to “transportation from one State, Territory, or possession of the United States, or the District of Columbia, to any other State, Territory, or possession of the United States, or to said District.”)

CHAP. 3528.—An Act To increase the efficiency of the Bureau of Insular Affairs of the War Department. June 25, 1906.
[Public, No. 280.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of the Bureau of Insular Affairs of the War Department shall hereafter be appointed by the President for the period of four years, unless sooner relieved, with the advice and consent of the Senate, and

34 Stat. L., pt. 1, p. 456.

War Department.

Chief of Bu-

reau of Insu-

lar Affairs to

serve four

years.

Rank, etc. while holding that office he shall have the rank, pay, and allowances of a brigadier-general.

June 28, 1906. **CHAP. 3569.**—An Act To amend section twenty-eight hundred and forty-four of the Revised Statutes of the United States, and [H. R. 19756.] [Public, No. 318.] to provide for an authentication of invoices of merchandise shipped to the United States from the Philippine Islands. ^{34 Stat. L., pt. 1, p. 539.}

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section numbered twenty-eight hundred and forty-four of the Revised Statutes of the United States¹ is hereby amended by adding thereto the following: “*Provided*, That the authentication may be made by the collector or a deputy collector of customs in the case of merchandise shipped to the United States from the Philippine Islands.”

June 30, 1906. **CHAP. 3915.**—An Act For preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes. ^[S. 88.] ^[Public, No. 384.] ^{34 Stat. L., pt. 1, p. 768.}

(Sec. 12 provides “That the term ‘Territory’ as used in this Act shall include the insular possessions of the United States.”)

June 30, 1906. **CHAP. 3937.**—An Act To authorize the Secretary of the Navy to loan temporarily to the Philippine government a vessel of the United States Navy for use in connection with nautical schools of the Philippine Islands. ^[H. R. 19755.] ^[Public, No. 406.] ^{34 Stat. L., pt. 1, p. 817.}

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby authorized and empowered to loan temporarily to the government of the Philippine Islands, upon the written application of the Secretary of War, a vessel of the United States Navy, to be selected from such vessels as are not suitable or required for general service, together with such of her apparel, charts, books, and instruments of navigation as he may deem proper, said vessel to be used only by such nautical schools as are or may hereafter be maintained by said government of the Philippine Islands: *Provided*, That when such schools shall be

¹ Section 2844. of Revised Statutes reads as follows:

AUTHENTICATION IN ABSENCE OF CONSUL.

Sec. 2844. If there is no consul or commercial agent of the United States in the country from which such merchandise was imported, the authentication required by the preceding section shall be executed by a consul of a nation at the time in amity with the United States, if there is any such residing there; and if there is no such consul in the country the authentication shall be made by two respectable merchants, if any there be, residing in the port from which the merchandise shall have been imported. (1 Mar., 1823, c. 21, s. 7, v. 3, p. 733.)

abandoned, or when the interests of the naval service shall so require, such vessel, together with her apparel, charts, books, and instruments of navigation, shall be immediately restored to the custody of the Secretary of the Navy: *And provided further*, That when such loan is made to the government of the Philippine Islands, the Secretary of the Navy is authorized to detail from the enlisted force of the Navy a sufficient number of men, not exceeding six for any vessel, as ship keepers, the men so detailed to be additional to the number of enlisted men allowed by law for the naval establishment, and in making details for this service preference shall be given to those men who have served twenty years or more in the Navy.

Provisos.
Return.

*Detail of
keepers.*

CHAP. 3912.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and six, and for prior years, and for other purposes.

June 30, 1906.
[H. R. 20403.]
[Public, No.
381.]
34 Stat. L.,
pt. 1, p. 634.

* * * * *

That the tariff duties both import and export imposed by the authorities of the United States or of the provisional military government thereof in the Philippine Islands prior to March eighth, nineteen hundred and two, at all ports and places in said islands upon all goods, wares, and merchandise imported into said islands from the United States, or from foreign countries, or exported from said islands, are hereby legalized and ratified, and the collection of all such duties prior to March eighth, nineteen hundred and two, is hereby legalized and ratified and confirmed as fully to all intents and purposes as if the same had by prior Act of Congress been specifically authorized and directed.

*Philippine Is-
lands.
Collection of
tariff duties in,
ratified.*

(See Sec. 2 Organic Act, p. 2.)

* * * * *

CHAP. 153.—An Act To provide for the distribution of public documents to the library of the Philippine government at Manila, Philippine Islands

Jan. 18, 1907.
[H. R. 19764.]
[Public, No.
18.]
34 Stat. L.,
pt. 1, p. 850.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of documents is hereby authorized and directed to supply one copy of each document delivered to him for distribution to State and Territorial libraries and designated depositories to the library of the Philippine government, in the city of Manila, Philippine Islands; and the Public Printer is hereby directed to print, bind, and deliver to the superintendent of documents the extra number of documents required to comply with this Act.

*Philippine Is-
lands.
Public docu-
ments for gov-
ernment library
at Manila.*

*Extra copies
authorized.*

Feb. 26, 1907. **CHAP. 1635.**—An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes. [H. R. 21574.] [Public, No. 129.] 34 Stat. L. pt. 1, p. 935.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

SEC. 4. That on and after March 4, 1907, the compensation of the * * *, and the compensation of Senators, Representatives in Congress, Delegates from Territories, and Resident Commissioner from Porto Rico shall be at the rate of \$7,500 per annum each.

Note. See Public Res. No. 7, p. 73.

CHAP. 2908.—An Act To provide for the establishment of an agricultural bank in the Philippine Islands.

Mar. 4, 1907. **CHAP. 2908.**—*Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,* [S. 6249.] [Public, No. 243.] 34 Stat. L. pt. 1, p. 1282. *That for the purpose of aiding in the establishment and operation of such an agricultural bank in the Philippine Islands as the general government thereof*

Establishment of agricultural bank—*may hereafter specifically authorize the Philippine government to guarantee an income of not less than four per centum per annum upon cash capital stock interest on actually invested by individuals or corporations in such agricultural bank; such guaranty shall be granted by an act of the Philippine Commission which shall contain, among others, the following provisions:*

Guaranty—*First. The guaranty shall be made to a company organized under the laws of the Philippine Islands, with its principal office in Manila and with branches in such parts of the islands as may be designated by the Philippine Commission.*

Loans restricted.—*Second. The bank shall not grant loans except to those engaged in agriculture and with the sole purpose of assisting agriculture in the Philippine Islands.*

Maximum loans.—*Third. No loan exceeding in amount five thousand dollars shall be made except upon the written authorization of the secretary of finance and justice of the Philippine Islands.*

Maximum interest.—*Fourth. Interest charged on loans shall not exceed ten per centum per annum: Provided, That in no event shall the total annual contingent liability under the guaranties authorized by this Act at any time exceed two hundred thousand dollars, and no such guaranty shall continue for a longer period than twenty-five years.*

Regulations.—*For the further security of the Philippine government said government shall provide by the aforesaid act proper rules, including those for determining the cash capital actually invested in such bank and the net income actually received on said capital so invested, and shall*

provide for supervision by said Philippine government, through the auditing and other appropriate bureaus thereof, of the conduct of the business of the bank.

The bank shall make such reports from time to time as to its receipts and expenditures in such form and substance and sworn to by such officials as may be prescribed by the Philippine government, and its books and accounts shall be at all times open to inspection by any authorized agent of the Philippine government.

Reports.

SEC. 2. That money paid by the Philippine government pursuant to the aforementioned guaranty shall be a liability of the bank to the Philippine government, and, as such, shall constitute a lien upon and be paid out of the annual net profits of the bank, subject only to the right of the stockholders to receive therefrom four per centum dividends per annum upon the bank's cash paid-up capital stock. No dividends above four per centum shall be paid, and no profits credited to the surplus fund, either during the period of the government's guaranty or subsequent thereto, until the Philippine government shall have been repaid in full all sums advanced to the bank under said guaranty.

Guaranty payment a lien on net profits.

Payment of dividends.

Obligations of the bank to the Philippine government arising from advances made pursuant to the aforementioned guaranty and existing at the time when the bank shall go into liquidation shall constitute a lien on the bank's assets, subject only to the payment of the bank's legitimate debts and the repayment to the stockholders of the par value of the bank's duly authorized cash paid-up capital stock: *Provided*, That nothing in this section shall be interpreted as a guaranty on the part of the Philippine government to the stockholders of the bank of the par value of the bank's cash paid-up capital stock when the bank shall go into liquidation.

Liquidation. Government advances a lien on assets.

Proviso. Capital stock.

SEC. 3. That the bank shall not be permitted to hold real estate beyond that required for business premises: *Provided*, That the temporary acquisition of land as the result of foreclosure, or otherwise, on account of a debt, shall be permitted on condition that land so acquired shall be sold within ten years from the date of acquisition, and all said land not so alienated in good faith shall be forfeited to the Philippine government.

Realty holdings forbidden.

Proviso. Temporary acquisitions allowed.

Forfeiture.

[No. 7.] Joint Resolution Providing for salaries of the Resident Commissioners from the Philippine Islands.

Feb. 24, 1908.
[H. J. R. 130.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Sergeant-at-Arms of the House of Representatives is authorized to pay to each of the two Resident Commissioners from the Philippine Islands, out of the appropriation made for the current fiscal year for compensation of the Members of the House of Representatives, the same rate of compensation as is authorized and allowed to the Resident Commissioners, and allowance in lieu of mileage.

[Public Res.
No. 7.]

35 Stat. L., pt. 1, p. 567.

Philippine Is- lands.

R s i d e n t Commissi- oners' salaries, and allowance in lieu of mileage.

being paid to the Resident Commissioner from Porto Rico, together with two thousand dollars each, as authorized by law, in lieu of mileage.

See Public No. 129, p. 72.

SENATE ORDER.

Privilege of floor. *Ordered*, That the privilege of the floor be extended to Benito Legarda and Pablo Ocampo, Resident Commissioners, appointed by the Philippine Assembly in accordance with the provisions of the act approved July 1, 1902.

Agreed to January 28, 1908.

HOUSE RESOLUTION.

Privilege of floor and right of debate. *Resolved*, That the privileges of the floor, with the right of debate, be extended to the two Resident Commissioners appointed by the Philippine Assembly in accordance with the provisions of the act approved July 1, 1902.

Agreed to February 4, 1908.

Apr. 22, 1908. [H. R. 20310.] **CHAP. 149.**—An Act Relating to the liability of common carriers by railroad to their employees in certain cases.

[Public, No. 100.] * * * * *
35 Stat. L. pt. 1, p. 65. SEC. 2. That every common carrier by railroad in the Damages for injuries, etc., in Territories, the District of Columbia, the Panama Canal Zone, or other possessions of the United States shall be liable in damages to any person suffering injury while he is employed by such carrier in any of said jurisdictions, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

Apr. 29, 1908. [S. 5262.] **CHAP. 152.**—An Act To repeal an Act approved April thirtieth, nineteen hundred and six, entitled "An Act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes," and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until Congress shall have authorized the registry as vessels of the United States of vessels owned in

the Philippine Islands, the government of the Philippine Islands is hereby authorized to adopt, from time to time, and enforce regulations governing the transportation of merchandise and passengers between ports or places in the Philippine Archipelago.

SEC. 2. That on and after the passage of this Act the same tonnage taxes shall be levied, collected, and paid upon all foreign vessels coming into the United States from the Philippine Islands which are required by law to be levied, collected, and paid upon vessels coming into the United States from foreign countries.

SEC. 3. That the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Islands and the United States.

SEC. 4. That the Philippine Commission shall be authorized and empowered to issue licenses to engage in lighterage or other exclusively harbor business to vessels or other craft actually engaged in such business at the date of the passage of this Act and to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

SEC. 5. That such of the navigation laws of the United States as are in force in the Philippine Islands in regard to vessels arriving in the Philippine Islands from the mainland territory and other insular possessions of the United States shall continue to be administered by the proper officials of the government of the Philippine Islands.

SEC. 6. That the Act entitled "An Act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Islands, between ports or places in the Philippine Islands, and for other purposes," approved April thirtieth, nineteen hundred and six, and all laws and parts of laws in conflict with the provisions of this Act, are hereby repealed.

CHAP. 164.—An Act To increase the membership of the Philippine Commission by one member, and for other purposes. May 11, 1908.
[H. R. 17516.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of Commissioners constituting the Philippine Commission is hereby increased by one additional member, making the Commission consist of nine members. Said additional member shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive the same salary and emoluments as is now, or may hereafter, be prescribed by law.

New executive department created. SEC. 2. *That the President is hereby authorized in his discretion to create by Executive order, and name, a new executive department in the Philippine government, and to embrace therein such existing bureaus as he may designate in the order; and in his appointment of any commission member he shall specify in his message to the Senate the department, if any, of which the appointee shall be the secretary.*

May 16, 1908. **CHAP. 171.**—An Act To create the office of captain in the Philippine Scouts. [S. 652.]

[Public, No. 118.] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* pt. 1, p. 163. **Philippine Scouts.** *That the office of captain in the Philippine Scouts is hereby created as a grade of rank in the military establishment. Such captains shall be selected from officers of the grade of first lieutenants in said scouts, and shall be given provisional appointments for periods of four years each, and no such appointments shall be continued for a second or subsequent period unless the officers' conduct shall have been satisfactory in every respect: *Provided*, That the number of officers provisionally appointed under the terms of this Act shall not at any time exceed the number of companies of said native troops which may be formed by the President from time to time for service in the Philippine Islands.*

Proviso. *Maximum number.*

May 28, 1908. **CHAP. 214.**—An Act Making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth. [H. R. 21875.] [Public, No. 154.]

35 Stat. L. * * * * * pt. 1, p. 430. **Four Filipinos received for instruction.** *The Secretary of War is hereby authorized to permit not exceeding four Filipinos, to be designated, one for each class, by the Philippine Commission,¹ to receive instruction at the United States Military Academy at West Point: *Provided*, That the Filipinos undergoing instruction, as herein authorized, shall receive the same pay, allowances, and emoluments as are authorized by law for cadets at the Military Academy appointed from the United States, to be paid out of the same appropriations: *To serve in Philippine Scouts.* *And provided further*, That said Filipinos undergoing instruction on graduation shall be eligible only to commissions in the Philippine Scouts. And the provisions of section thirteen hundred and twenty-one, Revised Statutes,² are modified in the case of the Filipinos undergoing*

¹ Act of Congress approved Aug. 11, 1916, provides that the designation shall be made by the Governor General. See p. 98.

² Section 1321 of the Revised Statutes is as follows:

SMC. 1321. Each cadet shall sign articles, with the consent of his parents or guardian if he be a minor, and if any he have, by which he shall engage to serve eight years unless sooner discharged.

instruction, so as to require them to engage to serve for eight years, unless sooner discharged, in the Philippine Scouts.

* * * * *

[No. 30.] Joint Resolution Relating to the assignment of space in the House Office Building. May 28, 1908. [H. J. R. 186.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the assignment of rooms in the office building of the House of Representatives, which shall hereafter be designated as the House Office Building, heretofore made by resolution or order of the House of Representatives, shall continue in force until modified or changed in accordance with the provisions of this resolution, and * * *

[Pub. Res., No. 30.]
35 Stat. L., pt. 1, p. 578.
House Office Building. Assignment of rooms.

In the matter of the assignment of rooms under this resolution, Delegates in Congress and the Commissioners from Porto Rico and the Philippine Islands shall be treated the same as Representatives. Delegates and Resident Commissioners.

CHAP. 101.—An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and nine. Feb. 9, 1909. [H. R. 26899.] [Public, No. 222.]

* * * * * WAR DEPARTMENT.

35 Stat. L., pt. 1, p. 614.

That the internal-revenue taxes imposed by the Philippine government and collected under sections one hundred and nine and one hundred and thirty-nine of Act Numbered Eleven hundred and eighty-nine of the Philippine Commission, and under Acts Numbered Fourteen hundred and sixty-one and Seventeen hundred and sixty-one of the Philippine Commission are hereby legalized and ratified, and the collection of all such taxes heretofore or hereafter is hereby legalized and ratified and confirmed as fully to all intents and purposes as if the same had by prior Act of Congress been specifically authorized and directed.

Philippine Islands. Collection, etc., of internal-revenue taxes in, ratified.

* * * * *

CHAP. 317.—An Act To provide for the distribution of the Congressional Record and public bills, documents, and so forth, to the governor-general of the Philippines Islands at Manila, Philippine Islands. Mar. 4, 1909. [H. R. 24864.] [Public, No. 346.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Public Printer is hereby authorized to furnish gratuitously to the governor-general of the Philippine Islands at Manila ten copies of the daily Congressional Record and three copies of all bills, resolutions, documents, and reports, as printed, and he is hereby directed to print, if necessary, the extra number required to comply with this Act.

35 Stat. L., pt. 1, p. 1067. Philippine Islands. Copies of Congressional Record, etc., for governor-general.

Printing extra numbers authorized.

78 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

Mar. 4, 1909. **CHAP. 320.**—An Act To amend the Acts respecting copyright.
[H. R. 28192.] (Sec. 34 provides "That all actions, suits, or proceedings arising under the copyright laws of the United States shall be originally cognizable by * * *, and the courts of first instance of the Philippine Islands.")

Mar. 4, 1909. **CHAP. 321.**—An Act To codify, revise, and amend the penal laws of the United States.
[S. 2982.]

[Public, No. 349.] (This Act is applicable to the Philippine Islands.)

pt. 1, p. 1088. **Apr. 23, 1909.** (No. 2). Joint Resolution Making appropriations for the payment of certain expenses incident to the first session of the Sixty-first Congress.

[Public Res. No. 2.] * * * * *

36 Stat. L.

pt. 1, p. 182.

HOUSE OF REPRESENTATIVES.

For stationery for Members of the House of Representatives, Delegates from Territories, and Resident Commissioners from Porto Rico and the Philippine Islands, at one hundred and twenty-five dollars each, forty-nine thousand seven hundred and fifty dollars.

* * * * *

Aug. 5, 1909. **CHAP. 8.**—An Act To raise revenue for the Philippine Islands, and for other purposes.
[H. R. 9135.]

[Public, No. 7.] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That on and after sixty days following the passage

of this Act, except as otherwise specifically provided in **Philippine** *tariff of 1909.* *Duties on this Act, there shall be levied, collected, and paid, upon* **tariff** *imports after* **40 days.** *all articles, goods, wares, or merchandise of every kind and class entering the jurisdiction of the Philippine Islands, from any place or places, including the United States and its possessions, and in any manner whatsoever, either with intent to unlade therein, or which, after such entering, are consumed therein, or become incorporated into the general mass of property within said islands, the rates of import duty which are by this Act specifically provided.*

* * * * *

Note—The Philippine Tariff Act of 1909 as amended by the United States Tariff Act of October 3, 1903, and laws of the Philippine Legislature to January 1, 1919, with index and repertory and appendix has been printed as a separate pamphlet and therefore the text has been omitted from this compilation.

RESOLUTION.

Apr. 9, 1910. [No. 19.] Joint Resolution Fixing the terms of court in the Philippine Islands.
[S. J. Res. 38.]

[Pub. Res., No. 25.] *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* **Philippine Is.** *That the supreme court of the Philippine Islands is authorized to hold such special term or terms in each year*

at Baguio, in the Province of Benguet, or at any other suitable place in the Philippine Islands, as may be provided by order of the court, and to make such orders with reference to the transfer of records and the issuing of process as shall be necessary to make the orders, decrees, and judgments entered by the court in such special term or terms effective.

CHAP. 191.—An Act For preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes. [Apr. 26, 1910.
S. 6131.]

(This Act is known as "The Insecticide Act of 1910." pt. 1, p. 331. Section 12 provides "that the term 'Territory,' as used in this Act, shall include the District of Alaska and the insular possessions of the United States.")

CHAP. 291.—An Act Providing for the quadrennial election of members of the Philippine legislature and Resident Commissioners to the United States, and for other purposes. [June 14, 1910.
H. R. 25641.]

(Superseded by Sec. 20, Act of Congress of Aug. 29, 1916; see p. 42.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the present members of the Philippine assembly shall hold office until the fourth day of March, anno Domini nineteen hundred and twelve, and their successors shall be chosen by the people in the year nineteen hundred and eleven, and in every fourth year thereafter, and shall hold office for four years beginning on the fourth day of March next following their election. At its next regular session after the passage of this Act the Philippine legislature shall fix the date for the commencement of its annual sessions.

Sec. 2. That hereafter the terms of Resident Commissioners to the United States shall be four years instead of two. The two to be chosen by the Philippine legislature at its next regular session, in pursuance of law, shall hold office for four years, and thereafter such elections shall be held quadrennially. Each of said Resident Commissioners shall, in addition to the salary and expenses now allowed by law, be allowed the same sum for stationery and for the pay of necessary clerk hire as is now allowed to the Members of the House of Representatives of the United States, and the franking privilege now enjoyed by Members of the House of Representatives.

Sec. 3. That all Acts or parts of Acts inconsistent herewith are hereby repealed, so far, and so far only, as they conflict with the provisions of this Act.

CHAP. 386.—An Act To establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes. [June 25, 1910.
S. 5876.]

* * * * *

[Public No.
268.]
36 Stat. L.,
pt. 1, p. 814.

Payments of de-
posits under or-
der of court.

SEC. 17. That the final judgment, order, or decree of any court of competent jurisdiction adjudicating any right or interest in the credit of any sums deposited by any person with a postal savings depository if the same shall not have been appealed from and the time for appeal has expired shall, upon submission to the Postmaster-General of a copy of the same, duly authenticated in the manner provided by the laws of the United States for the authentication of the records and judicial proceedings of the courts of any State or Territory or of any possession subject to the jurisdiction of the United States, when the same are proved or admitted within any other court within the United States, be accepted and pursued by the board of trustees as conclusive of the title, right, interest, or possession so adjudicated, and any payment of said sum in accordance with such order, judgment, or decree shall operate as a full and complete discharge of the United States from the claim or demand of any person or persons to the same.

June 25, 1910. **CHAP. 395.**—An Act To further regulate interstate and foreign commerce by prohibiting the transportation therein for immoral purposes of women and girls, and for other purposes.

[H. R. 12315.]
[Public, No. 277.]

36 Stat. L., pt. 1, p. 825. (This Act is known as the "White-Slave Traffic Act." Section 7 provides "That the term 'Territory,' as used in this Act, shall include the District of Alaska, the insular possessions of the United States, and the Canal Zone.")

Feb. 15, 1911. **CHAP. 81.**—An Act Providing for the quadrennial election of members of the Philippine Assembly and Resident Commissioners [H. R. 32004.]

[Public, No. 376.]

36 Stat. L., pt. 1, p. 910. (Superseded by Sec. 20, Act of Congress of Aug. 29, 1916; see p. 42.)

Philippine Is-
lands.

Members of Assem-
bly to be elected for four years. *Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress as-
sembled, That the present members of the Philippine As-
sembly shall hold office until the sixteenth day of Octo-
ber, anno Domini nineteen hundred and twelve, and their
successors shall be chosen by the people in the year nine-
teen hundred and twelve, and in every fourth year there-
after, and shall hold office for four years beginning on the
sixteenth day of October next following their election.*

Regular ses-
sions of legis-
lature. *At its next regular session after the passage of this Act
the Philippine Legislature shall fix the date for the com-
mencement of its annual sessions.¹*

Resident Com-
missioners. **SEC. 2.** That the present Resident Commissioners shall hold office until their successors shall have been duly present. *elect and qualified. Their successors may be elected by the present Philippine Legislature, and if so elected shall hold office until March fourth, nineteen hundred and thirteen.*

Term to be four years after 1912. *At the regular session beginning in nineteen hundred and twelve, and quadrennially thereafter, the*

¹ Date fixed as Oct. 16 (Act No. 2114 of Philippine Legislature).

Philippine Legislature shall in the manner now provided by law elect two Resident Commissioners to the United States, each of whom shall hold office for the term of four years beginning upon the fourth day of March next ensuing his election. Each of said Resident Commissioners shall, in addition to the salary¹ and expenses now allowed by law, be allowed the same sum for stationery² and for the pay of necessary clerk hire³ as is now allowed to the Members of the House of Representatives of the United States, and the franking privilege now enjoyed by Members of the House of Representatives.³

Salary, expenses, etc.

Sec. 3. That all Acts or parts of Acts inconsistent here-^{Inconsistent laws repealed.} with are hereby repealed so far, and so far only, as they conflict with the provisions of this Act.

CHAP. 187.—An Act To protect the dignity and honor of the uniform of the United States. [Mar. 1, 1911.
H. R. 23015.]

Be it enacted by the Senate and House of Representatives of the United State of America in Congress assembled, That hereafter no proprietor, manager, or employee of a theater or other public place of entertainment or amusement in the District of Columbia, or in any Territory, the District of Alaska or Insular possessions of the United States, shall make, or cause to be made, any discrimination against any person lawfully wearing the uniform of the Army, Navy, Revenue-Cutter Service or Marine Corps of the United States because of that uniform, and any person making, or causing to be made, such discrimination shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars.

[Public, No. 436.]
36 Stat. L. pt. 1, p. 963.

Uniforms of United States. Punishment for discrimination against theaters, etc., by nations of others of.

CHAP. 226.—An Act To prevent the disclosure of national defense secrets. [Mar. 3, 1911.
H. R. 26656.]

(The provisions of this Act pertain to National Defense secrets “whether situated within the United States or in any place noncontiguous to but subject to the jurisdiction thereof.”)

[Public, No. 470.]
36 Stat. L. pt. 1, p. 1084.

Sec. 3. That offenses against the provisions of this Act committed upon the high seas or elsewhere outside of a judicial district shall be cognizable in the district where the offender is found or into which he is first brought; but offenses hereunto committed within the Philippine Islands shall be cognizable in any court of said islands having original jurisdiction of criminal cases, with the same right of appeal as is given in other criminal cases

Jurisdiction for offenses on high seas.

In the Philippines.

¹ For salaries of Commissioners see Act of Feb. 26, 1907, and joint resolution of Feb. 24, 1908, pp. 72, 73.

² For allowances for clerk hire and stationery, see joint resolution of Apr. 23, 1909, and act of Mar. 1, 1910, pp. 78, 114.

³ For assignment of space in House Office Building, see joint resolution of May 28, 1908, p. 77.

For extension of privileges of the floor and right of debate, see Senate Order of Jan. 28, 1908, and House Res. of Feb. 4, 1908, p. 74.

where imprisonment exceeding one year forms a part of the penalty; and jurisdiction is hereby conferred upon such courts for such purpose.

Mar. 3, 1911.
[S. 7031.]

[Public No. 475.]
36 Stat. L. pt.
1, p. 1087.

Judicial Code.

CHAP. 231.—An Act To codify, revise, and amend the laws relating to the judiciary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to the judiciary be, and they hereby are, codified, revised, and amended, with title, chapters, head-notes, and sections, entitled, numbered, and to read as follows:

* * * * *

Chapter 10.

CHAPTER TEN.

The Supreme Court.

THE SUPREME COURT.

* * * * *

Review, etc., decisions of supreme court of Philippine Islands.

Amount in controversy. SEC. 248. The Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the supreme court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby, in which the Constitution, or any statute, treaty, title, right, or privilege of the United States is involved, or in causes in which the value in controversy exceeds twenty-five thousand dollars, or in which the title or possession of real estate exceeding in value the sum of twenty-five thousand dollars, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court on appeal or writ of error by the party aggrieved, within the same time, in the same manner, under the same regulations, and by the same procedure, as far as applicable, as the final judgments and decrees of the district courts of the United States.

* * * * *

July 28, 1911. **CHAP. 3.**—An Act To promote reciprocal trade relations with [H. R. 4412.] the Dominion of Canada, and for other purposes.

[Public No. 3.]
37 Stat. L.
pt. 1, p. 4.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid upon Canadian reciprocity. Duties on the articles hereinafter enumerated, the growth, product imports from Canada. or manufacture of the Dominion of Canada, when imported therefrom into the United States or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), in lieu of the duties now levied, collected, and paid, the following duties, namely:

* * * * *

ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS. 83

CHAP. 287.—An Act To regulate radio communication.

Aug. 13, 1912.
[S. 6412.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[Public, No. 264.]
37 Stat. L., pt. 1, p. 302.

* * * * *
SEC. 10. That this Act shall not apply to the Philip-

^{Not to apply}
pine Islands. ^{to the Philippines.}

CHAP. 352.—An Act To amend section eight of the food and

drugs act approved June thirtieth, nineteen hundred and six.

Aug. 23, 1912.
[H. R. 11877.]

(Applicable to the Philippine Islands.)

[Public No. 301.]
37 Stat. L., pt. 1, p. 416.

CHAP. 389.—An Act Making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes.

Aug. 24, 1912.
[H. R. 21279.]
[Public, No. 336.]
37 Stat. L., pt. 1, p. 539.

* * * * *
SEC. 8. That hereafter fourth-class mail matter shall embrace all other matter, including farm and factory products, not now embraced by law in either the first, second, or third class, not exceeding eleven pounds in weight, nor greater in size than seventy-two inches in length and girth combined, nor in form or kind likely to injure the person of any postal employee or damage the mail equipment or other mail matter and not of a character perishable within a period reasonably required for transportation and delivery.

^{Fourth-class}
Matter em-
braced as.

Restriction
on size, weight,
etc.

That for the purposes of this section the United States and its several Territories and possessions, excepting the Philippine Islands, shall be divided into units of area thirty minutes square, identical with a quarter of the area formed by the intersecting parallels of latitude and meridians of longitude, represented on appropriate postal maps or plans, and such units of area shall be the basis of eight postal zones, as follows:

Postal zones
established for
transmission.

* * * * *
For delivery within the eighth zone and between the Philippine Islands and any portion of the United States, including the District of Columbia and the several Territories and possessions, twelve cents for each additional pound or fraction of a pound.

In eighth
zone and the
Philippines.

CHAP. 90.—An Act Divesting intoxicating liquors of their interstate character in certain cases.

Mar. 1, 1913.
[S. 4043.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the shipment or transportation, in any manner

[Public, No. 398.]
37 Stat. L., pt. 1, p. 699.
Intoxicating
liquors.

~~Shipment or by any means whatsoever, of any spirituous, vinous, etc., in violation of any law thereof, into a State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, which said spirituous, vinous, malted, fermented, or other intoxicating liquor is intended, by any person interested therein, to be received, possessed, sold, or in any manner used, either in the original package or otherwise, in violation of any law of such State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, is hereby prohibited.~~

~~States, or place noncontiguous to but subject to the jurisdiction thereof, into any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, which said spirituous, vinous, malted, fermented, or other intoxicating liquor is intended, by any person interested therein, to be received, possessed, sold, or in any manner used, either in the original package or otherwise, in violation of any law of such State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, is hereby prohibited.~~

CHAMP CLARK,

Speaker of the House of Representatives.

J. H. GALLINGER,

President of the Senate pro tempore.

(This Act was vetoed by the President and was passed over the President's veto by the Senate on February 28, 1913, and by the House of Representatives on March 1, 1913.)

Mar. 3, 1913. [H. R. 22526.] **CHAP. 117.**—An Act To amend section eight of an Act entitled [Public No. 419.] “An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines and liquors, and for regulating traffic therein, and for other purposes,” approved June thirtieth, nineteen hundred and six.

(Applicable to the Philippine Islands.)

Mar. 4, 1913. [H. R. 28288.] **CHAP. 145.**—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and fourteen. [Public No. 430.] 37 Stat. L. pt. 1, p. 828.

* * * * *

Viruses, toxins, etc. That from and after July first, nineteen hundred and thirteen, it shall be unlawful for any person, firm, or corporation to prepare, sell, barter, or exchange in the District of Columbia, or in the Territories, or in any place under the jurisdiction of the United States, or to ship or deliver for shipment from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product intended for use in the treatment of domestic animals, and no person, firm, or corporation shall prepare, sell, barter, exchange, or ship as aforesaid any virus, serum, toxin, or analogous product manufactured within the United States and intended for use in the treatment of domestic animals, unless and until the said

Trade in virus, etc., restricted to licensed establishments. Trade in virus, etc., unallowable.

virus, serum, toxin, or analogous product shall have been prepared, under and in compliance with regulations prescribed by the Secretary of Agriculture, at an establishment holding an unsuspended and unrevoked license issued by the Secretary of Agriculture as hereinafter authorized.

* * * * *

CHAP. 16.—An Act To reduce tariff duties and to provide revenue for the Government, and for other purposes.

Oct. 3, 1913.
[H. R. 3321.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the day following the passage of this Act, except as otherwise specially provided for in this Act, there shall be levied, collected, and paid upon all articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila) the rates of duty which are by the schedules and paragraphs of the dutiable list of this section prescribed, namely:

[Public No. 16.]
38 Stat. L., pt. 1, p. 114.
Tariff of 1913.
Duties on imports from abroad.
R. S., Sec. 2504, amended.
Vol. 36, p. 11.
Philippines, Guam, and Tutuila excepted.

* * * * *

SECTION II.

A. Subdivision 1. That there shall be levied, assessed, collected and paid annually upon the entire net income arising or accruing from all sources in the preceding calender year to every citizen of the United States, whether residing at home or abroad, and to every person residing in the United States, though not a citizen thereof, a tax of 1 per centum per annum upon such income, except as hereinafter provided; and a like tax shall be assessed, levied, collected, and paid annually upon the entire net income from all property owned and of every business, trade, or profession carried on in the United States by persons residing elsewhere.

Normal tax, how levied.

H. That the word "State" or "United States" when used in this section shall be construed to include any Territory, Alaska, the District of Columbia, Porto Rico, and the Philippine Islands, when such construction is necessary to carry out its provisions.

"State" and "United States" construed.

M. That the provisions of this section shall extend to Porto Rico and the Philippine Islands: *Provided*, That the administration of the law and the collection of the taxes imposed in Porto Rico and the Philippine Islands shall be by the appropriate internal-revenue officers of those governments, and all revenues collected in Porto Rico and the Philippine Islands thereunder shall accrue

Porto Rico and Philip-
pines. *Provided*.

Collection by
insular officer.

intact to the general governments, thereof, respectively: *And provided further*, That the jurisdiction in this section conferred upon the district courts of the United States shall, so far as the Philippine Islands are concerned, be vested in the courts of the first instance of said islands: *And provided further*, That nothing in this section shall be held to exclude from the computation of the net income the compensation paid any official by the governments of the District of Columbia, Porto Rico and the Philippine Islands or the political subdivisions thereof.

SECTION IV.

* * * * *

Philippine Islands. Imports from, subject to regular duties. C. That there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles, the growth or product of or manufactured in the Philippine

Vol. 36, p. 83, amended. *Provisions.* Islands from materials the growth or product of the Philippine Islands or of the United States, or of both, or which do not contain foreign materials to the value of more than 20 per centum of their total value, upon which no drawback of customs duties has been allowed therein, coming into the United States from the Philippine Islands shall hereafter be admitted free of duty: *Provided, however*, That in consideration of the exemptions aforesaid, all articles, the growth, product, or manufacture of the United States, upon which no drawback of customs duties has been allowed therein, shall be admitted to the Philippine Islands from the United States

United States goods to be admitted free into Philippines. free of duty: *And provided further*, That the free admission, herein provided, of such articles, the growth, product, or manufacture of the United States, into the Philippine Islands, or of the growth, product, or manufacture, as hereinbefore defined, of the Philippine Islands into the United States, shall be conditioned upon the direct shipment thereof, under a through bill of lading, from the country of origin to the country of destination: *Provided*, That direct shipment shall include shipments in bond through foreign territory contiguous to the United States: *Provided, however*, That if such articles become unpacked while en route by accident, wreck, or other casualty, or so damaged as to necessitate their repacking, the same shall be admitted free of duty upon satisfactory proof that the unpacking occurred through accident or necessity and that the merchandise involved is the identical merchandise originally shipped from the United States or the Philippine Islands, as the case may be, and that its condition has not been changed except for such damage as may have been sustained: *And provided*, That there shall be levied, collected, and paid, in the United States, upon articles, goods, wares, or merchandise coming into the United States from the Philip-

Direct shipment required. Shipments in bonds. *Repacking damaged, etc.* *United States:* *Provided, however*, That if such articles become unpacked while en route by accident, wreck, or other casualty, or so damaged as to necessitate their repacking, the same shall be admitted free of duty upon satisfactory proof that the unpacking occurred through accident or necessity and that the merchandise involved is the identical merchandise originally shipped from the United States or the Philippine Islands, as the case may be, and that its condition has not been changed except for such damage as may have been sustained: *And provided*, That there shall be levied, collected, and paid, in the United States, upon articles, goods, wares, or merchandise coming into the United States from the Philip-

Internal-revenue tax on imports from Philippines. *Digitized by Google*

pine Islands, a tax equal to the internal-revenue tax imposed in the United States upon the like articles, goods, wares, or merchandise of domestic manufacture; such tax to be paid by internal-revenue stamp or stamps, to be provided by the Commissioner of Internal Revenue, and to be affixed in such manner and under such regulations as he, with the approval of the Secretary of the Treasury, shall prescribe; and such articles, goods, wares, or merchandise, shipped from said islands to the United States, shall be exempt from the payment of any tax imposed by the internal-revenue laws of the Philippine Islands: *And provided further*, That there shall be levied, collected, and paid in the Philippine Islands, upon articles, goods, wares, or merchandise going into the Philippine Islands from the United States, a tax equal to the internal-revenue tax imposed in the Philippine Islands upon the like articles, goods, wares, or merchandise of Philippine Islands manufacture; such tax to be paid by internal-revenue stamps or otherwise, as provided by the laws in the Philippine Islands; and such articles, goods, wares, or merchandise going into the Philippine Islands from the United States shall be exempt from the payment of any tax imposed by the internal-revenue laws of the United States: *And provided further*, That in addition to the customs taxes imposed in the Philippine Islands, there shall be levied, collected, and paid therein upon articles, goods, wares, or merchandise imported into the Philippine Islands from countries other than the United States, the internal-revenue tax imposed by the Philippine Government on like articles manufactured and consumed in the Philippine Islands or shipped thereto for consumption therein, from the United States: *And provided further*, That from and after the passage of this Act all internal revenues collected in or for account of the Philippine Islands shall accrue intact to the general government thereof and be paid into the insular treasury: *And provided further*, That section thirteen of "An Act to raise revenue for the Philippine Islands, and for other purposes," approved August fifth, nineteen hundred and nine, is hereby repealed.

Exempt from Philippine tax. Internal-revenue tax in Philippines on imports other than from United States. To be paid into insular treasury. Philippine export tax repealed. Vol. 36, p. 173.

CHAP. 6.—An Act To provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes. Dec. 23, 1913.
[H. R. 7837.]
[Public, No. 48.]
38 Stat. L., pt. 1, p. 251.

As amended Aug. 4, 1914 (38 Stat., 682, Chap. 225); Aug. 15, 1914 (38 Stat., 691, Chap. 252); Mar. 3, 1915 (38 Stat., 958, Chap. 93); Sept. 7, 1916 (39 Stat., 752, Chap. 461); June 21, 1917 (40 Stat., 232, Chap. 32); Sept. 26, 1918; Mar. 3, 1919.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the short title of this Act shall be the "Federal Reserve Act."

Federal Reserve Act.

As amended by
act a p p r o v e d
Mar. 3, 1915 (88
Stat., 958, chap.
98); act ap-
proved Sept. 7,
1916 (89 Stat.,
752, chap. 461);
act a p p r o v e d
June 21, 1917
(40 Stat., 282,
chap. 82).

POWERS OF FEDERAL RESERVE BANKS.

SEC. 13.—

* * * * *

Any member bank may accept drafts or bills of exchange drawn upon it having not more than three months' sight to run, exclusive of days of grace, drawn under regulations to be prescribed by the Federal Reserve Board by banks or bankers in foreign countries or dependencies or insular possessions of the United States for the purpose of furnishing dollar exchange as required by the usages of trade in the respective countries, dependencies, or insular possessions. Such drafts or bills may be acquired by Federal reserve banks in such amounts and subject to such regulations, restrictions, and limitations as may be prescribed by the Federal Reserve Board: *Provided*, however, That no member bank shall accept such drafts or bills of exchange referred to this paragraph for any one bank to an amount exceeding in the aggregate ten per centum of the paid-up and unimpaired capital and surplus of the accepting bank unless the draft or bill of exchange is accompanied by documents conveying or securing title or by some other adequate security: *Provided further*, That no member bank shall accept such drafts or bills in an amount exceeding at any time the aggregate of one-half of its paid-up and unimpaired capital and surplus.

* * * * *

GOVERNMENT DEPOSITS.

SEC. 15.—

* * * * *

No public funds of the Philippine Islands, or of the postal savings, or any Government funds, shall be deposited in the continental United States in any bank not belonging to the system established by this Act: *Pro-
vided*, however, That nothing in this Act shall be construed to deny the right of the Secretary of the Treasury to use member banks as depositories.

* * * * *

BANK RESERVES.

SEC. 19.—

* * * * *

As amended by
act a p p r o v e d
Aug. 15, 1914
(88 Stat., 691,
chap. 252); act
approved June
21, 1917 (40
Stat., 282, chap.
82); act ap-
proved Sept. 26,
1918.

National banks, or banks organized under local laws, located in Alaska or in a dependency or insular possession or any part of the United States outside the conti-

ental United States may remain nonmember banks, and shall in that event maintain reserves and comply with all the conditions now provided by law regulating them; or said banks may, with the consent of the Reserve Board, become member banks of any one of the reserve districts, and shall in that event take stock, maintain reserves, and be subject to all the other provisions of this Act.

* * * * *

FOREIGN BRANCHES.

As amended by
act approved
Sept. 7, 1916
(39 Stat., 752,
chap. 461).

SEC. 25. Any national banking association possessing a capital and surplus of \$1,000,000 or more may file application with the Federal Reserve Board for permission to exercise, upon such conditions and under such regulations as may be prescribed by the said board, either or both of the following powers:

First. To establish branches in foreign countries or dependencies or insular possessions of the United States for the furtherance of the foreign commerce of the United States, and to act if required to do so as fiscal agents of the United States.

Second. To invest an amount not exceeding in the aggregate ten per centum of its paid-in capital stock and surplus in the stock of one or more banks or corporations chartered or incorporated under the laws of the United States or of any State thereof, and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States either directly or through the agency, ownership, or control of local institutions in foreign countries, or in such dependencies or insular possessions.

* * * * *

CHAP. 9.—An Act To amend an Act entitled “An Act to prohibit the importation and use of opium for other than medicinal purposes,” approved February ninth, nineteen hundred and nine. Jan. 17, 1914.
[H. R. 1966.]

[Public No.
46.]
38 Stat. L.,
pt. 1, p. 275.
Punishment
for transport-
ing, etc.

“SEC. 4. That any person subject to the jurisdiction of the United States who shall, either as principal or as accessory, receive or have in his possession, or conceal on board of or transport on any foreign or domestic vessel or other water craft or railroad car or other vehicle destined to or bound from the United States or any possession thereof, any smoking opium or opium prepared for smoking, or who, having knowledge of the presence in or on any such vessel, water craft, or vehicle of such article, shall not report the same to the principal officer thereof, shall be subject to the penalty provided in section two of this Act.

Possession
prima facie evi-
dence.

* * * * *

Admission for transhipment forbidden. "SEC. 5. That no smoking opium or opium prepared for smoking shall be admitted into the United States, or into any territory under the control or jurisdiction thereof, for transportation to another country, nor shall such opium be transferred or transshipped from one vessel to another vessel within any waters of the United States for immediate exportation or any other purpose.

Exporting opium, cocaine, etc., unlawful. "SEC. 6. That hereafter it shall be unlawful for any person subject to the jurisdiction of the United States to export or cause to be exported from the United States, or from territory under its control or jurisdiction, or from countries in which the United States exercises extra-territorial jurisdiction, any opium or cocaine, or any salt, derivative, or preparation of opium or cocaine, to any other country.

* * * * *

Oct. 15, 1914. **CHAP. 323.**—An Act To supplement existing laws against unlawful restraints and monopolies, and for other purposes. [H. R. 15657.]

[Public, No. 212.] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That "antitrust laws," as used herein, includes

Act, 1914. the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," approved pt. 1, p. 730.

Antitrust laws included in this Act. Vol. 26, p. July second, eighteen hundred and ninety; sections 209, 208, p. seventy-three to seventy-seven, inclusive, of an Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," of August 570.

Vol. 37, p. 687. entitled "An Act to amend sections seventy-three and seventy-six of the Act of August twenty-seventh, eighteen hundred and ninety-four, entitled 'An Act to reduce taxation, to provide revenue for the Government, and for other purposes,'" approved February twelfth, nineteen hundred and thirteen; and also this Act.

Meaning of terms. "Commerce," as used herein, means trade or commerce "Commerce" among the several States and with foreign nations, or

Insular possessions in the United States. between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places

under the jurisdiction of the United States, or between any such possessions or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under

Prov. Not applicable to the Philippines. the jurisdiction of the United States: *Provided*, That nothing in this Act contained shall apply to the Philippine Islands.

Dec. 17, 1914. **CHAP. 1.**—An Act To provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all [Public, No. 6282.] persons who produce, import, manufacture, compound, deal in, 223.] 38 Stat. L., salts, derivatives, or preparations, and for other purposes. pt. 1, p. 785.

* * * * *

The provisions of this Act shall apply to the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, the insular possessions of the United States, and the Canal Zone. In Porto Rico and the Philippine Islands the administration of this Act, the collection of the said special tax, and the issuance of the order forms specified in section two shall be performed by the appropriate internal-revenue officers of those governments, and all revenues collected hereunder in Porto Rico and the Philippine Islands shall accrue intact to the general governments thereof, respectively. The courts of first instance in the Philippine Islands shall possess and exercise jurisdiction in all cases arising under this Act in said islands.

CHAP. 147.—An Act Making appropriations to supply deficiencies in appropriations for the fiscal year nineteen hundred and fifteen and for prior years, and for other purposes. Mar. 4, 1915.
[H. R. 21546.]

[Public, No. 296.]
38 Stat. L.
pt. 1, p. 1183.

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WAR DEPARTMENT.

INTERNAL-REVENUE TAXES, PHILIPPINE ISLANDS.

Philippine Islands.

The internal-revenue taxes imposed by the Philippine Legislature under the law enacted by that body on December twenty-third, nineteen hundred and fourteen, as amended by the law enacted by it on January sixteenth, nineteen hundred and fifteen, are hereby legalized and ratified, and the collection of all such taxes heretofore or hereafter is hereby legalized, ratified and confirmed as fully to all intents and purposes as if the same had by prior Act of Congress been specifically authorized and directed.

Mar. 4, 1915.
[H. R. 12674.]

CHAP. 164.—An Act To provide for the allowance of drawback of tax on articles shipped to the island of Porto Rico or to the Philippine Islands.

[Public, No. 313.]
38 Stat. L.
pt. 1, p. 1180.
Internal revenue drawbacks allowed on shipments to Porto Rico or Philippines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all provisions of existing laws for the allowance of drawback of internal-revenue tax on articles exported from the United States are, so far as applicable, hereby extended to like articles upon which an internal-revenue tax has been paid when shipped from the United States to the Island of Porto Rico or to the Philippine Islands.

June 3, 1916.
[H. R. 12766.]

CHAP. 184.—An Act For making further and more effectual provision for the national defense, and for other purposes.

[Public, No. 85.]
39 Stat. L.
p. 166.

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Philippine Scouts. SEC. 26. RETIREMENT OF OFFICERS OF PHILIPPINE SCOUTS.—Captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be entitled to retirement under the laws governing the retirement of enlisted men of the Regular Army, except that they shall be retired in the grade held by them at the date of retirement, shall be entitled to retirement for disability under the same conditions as officers of the Regular Army, and that they shall receive, as retired pay, the amounts allowed by law, as retired pay and allowances, of master signal electricians of the United States Army, and no more: *Provided*, That double time for service beyond the continental limits of the United States shall not be counted for the purposes of this section so as to reduce the actual period of service below twenty years: *Provided further*, That former officers of the Philippine Scouts who, because of disability occasioned by wounds received in action, have resigned or been discharged from the service, or who have heretofore served as such for a period of more than five years and have been retired as enlisted men, shall be placed upon the retired list as officers of Philippine Scouts and thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts: *And provided further*, That any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in the line of duty and who was subsequently retired as an enlisted man, except any former officer of Philippine Scouts who has been retired as an enlisted man by special Act of Congress, shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section, and no more. Officers of Philippine Scouts retired under the provisions of this section shall not form part of the limited retired list now authorized by law.

July 1, 1916. CHAP. 209.—An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes.

[H. R. 15886.] [Public No. 132.] 39 Stat. L., p. 262.

WAR DEPARTMENT.

Philippine Islands. That the internal-revenue taxes imposed by the Philippine Legislature under the law enacted by that body on December twenty-first, nineteen hundred and fifteen, as amended by the law enacted by that body on February fourth, nineteen hundred and sixteen, and the tonnage tax on vessels engaged in foreign trade enacted by that body on February fourth, nineteen hundred and sixteen, are hereby legalized and ratified, and the collection of all such taxes heretofore or hereafter is hereby legalized, ratified, and confirmed as fully to all intents and purposes as if the

same had by prior Act of Congress been specifically authorized and directed.

Vessels owned by citizens of the Philippine Islands and documented as such by the government of said islands shall hereafter be exempt in ports of the United States from payment of tonnage taxes and light dues; and the Secretary of the Treasury is hereby authorized, upon certification by the Commissioner of Navigation, to refund, out of any money in the Treasury not otherwise appropriated, tonnage taxes and light dues imposed upon vessels owned and documented as aforesaid entering ports of the United States since August first, nineteen hundred and fourteen: *Provided*, That nothing contained herein shall be construed as exempting said vessels from any taxes or dues imposed by the government of the Philippine Islands.

Philipine vessels.
Exempt from tonnage and light dues.

Refund of payments.

Provided.
Island taxes enforced.

CHAP. 314.—An Act Making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes.

Aug. 11, 1916.
[H. R. 16699.]
[Public, No.
191.]
39 Stat. L., p.
498.

PERMANENT ESTABLISHMENT.

Provided, That the four Filipino cadets authorized by the Act of May twenty-eighth, nineteen hundred and eight, to be designated by the Philippine Commission to receive instructions at the United States Military Academy, shall hereafter be designated by the Governor General of the Philippine Islands.

Filipino ca-
dets.

CHAP. 415.—An Act Relating to bills of lading in interstate and foreign commerce.

Aug. 29, 1916,
[S. 19.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That bills of lading issued by any common carrier for the transportation of goods in any Territory of the United States, or the District of Columbia, or from a place in a State to a place in a foreign country, or from a place in one State to a place in another State, or from a place in one State to a place in the same State through another State or foreign country, shall be governed by this Act.

[Public, No.
239.]
39 Stat. L., p.
538.
Bills of lading.
Issued in inter-
state and foreign
commerce gov-
erned hereby.

SEC. 4. That order bills issued in a State for the transportation of goods to any place in the United States on the Continent of North America, except Alaska and Panama, shall not be issued in parts or sets. If so issued, the carrier issuing them shall be liable for failure to deliver the goods described therein to anyone who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier.

Issues in part
for continental
use forbidden.

Proviso.
For insular, etc., use per-
mitted. to a holder of one of the other parts: *Provided, however,* That nothing contained in this section shall be interpreted or construed to forbid the issuing of order bills in parts or sets for such transportation of goods to Alaska, Panama, Porto Rico, the Philippines, Hawaii, or foreign countries, or to impose the liabilities set forth in this section for so doing.

Duplicates.
Character to be noted. SEC. 5. That when more than one order bill is issued in a State for the same goods to be transported to any place in the United States on the Continent of North America, except Alaska and Panama, the word "duplicate," or some other word or words indicating that the document is not an original bill, shall be placed plainly upon the face of every such bill except the one first issued. A

Liability for failure. carrier shall be liable for the damage caused by his failure so to do to anyone who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill: *Provided, however,* That

Proviso.
Not applicable to insular, etc., use. nothing contained in this section shall in such case for such transportation of goods to Alaska, Panama, Porto Rico, the Philippines, Hawaii, or foreign countries be interpreted or construed so as to require the placing of the word "duplicate" thereon, or to impose the liabilities set forth in this section for failure so to do.

Meaning of words used. SEC. 42. First. That in this Act unless the context of subject matter otherwise requires—

"State" includes any Territory, District, insular possession, or isthmian possession.

Aug. 29, 1916. [H. R. 15947.] CHAP. 417.—An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes.

[Public No. 241.] 39 Stat. L., * * * * * pt. 1, p. 556.

That hereafter the Secretary of the Navy is authorized to permit not exceeding four Filipinos, to be designated, one for each class, by the Governor General of the

Designation by Governor General. Philippine Islands, to receive instruction at the United States Naval Academy at Annapolis, Maryland: *Provided,* That the Filipinos undergoing instruction, as

Proviso.
Pay, allowances, etc. herein authorized, shall receive the same pay, allowances, and emoluments, to be paid out of the same appropriations, and shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as are authorized by law and regulation for midshipmen appointed from the United States, but the Filipino midshipmen herein authorized shall not be entitled to appointment to any commissioned office in the United States Navy by reason of their graduation from the Naval Academy.

Not entitled to appointment in Navy. That the Filipinos herein authorized shall not be entitled to appointment to any commissioned office in the United States Navy by reason of their graduation from the Naval Academy.

CHAP. 448.—An Act To amend the Judicial Code; to fix the time when the annual term of the Supreme Court shall commence; and further to define the jurisdiction of that court. Sept. 6, 1916.
[H. R. 15158.]

[Public, No. 258.]
39 Stat. L., pt. 1, p. 726.

Judicial Code. Amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two hundred and thirty of an Act to codify, revise, and amend the laws relating to the judiciary, approved March third, nineteen hundred and eleven, known as the Judicial Code, be, and it hereby is, amended so as to read as follows:

* * * * *

SEC. 5. That no judgment or decree rendered or passed by the Supreme Court of the Philippine Islands more than sixty days after the approval of this Act shall be reviewed by the Supreme Court upon writ of error or appeal; but it shall be competent for the Supreme Court, by certiorari or otherwise, to require that there be certified to it for review and determination, with the same power and authority and with like effect as if brought up by writ of error or appeal, any cause wherein, after such sixty days, the Supreme Court of the Philippine Islands may render or pass a judgment or decree which would be subject to review under existing laws. Supreme Court. Writs of error and appeals from Philippine supreme court to, not allowed hereafter.

Certiorari continued.

SEC. 6. That no writ of error, appeal, or writ of certiorari intended to bring up any cause for review by the Supreme Court shall be allowed or entertained unless duly applied for within three months after entry of the judgment or decree complained of: *Provided*, That writs of certiorari addressed to the Supreme Court of the Philippine Islands may be granted if application therefor be made within six months. Time limit for bringing causes for review.

Provido.
Exception.

CHAP. 451.—An Act To establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water engaged in the foreign and interstate commerce of the United States; and for other purposes. Sept. 7, 1916.
[H. R. 15455.]

[Public No. 260.]
39 Stat. L., pt. 1, p. 728.

Shipping act, 1916.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act:

The term “common carrier by water in foreign commerce” means a common carrier, except ferryboats running on regular routes, engaged in the transportation by water of passengers or property between the United States or any of its Districts, Territories, or possessions and a foreign country, whether in the import or export trade: *Provided*, That a cargo boat commonly called an ocean tramp shall not be deemed such “common carrier by water in foreign commerce.” Meaning of terms. “Common carrier by water in foreign commerce.”

Proviso.
Ocean tramps not included.

The term “common carrier by water in interstate commerce” means a common carrier engaged in the transportation by water of passengers or property on the high seas. “Common carrier by water in interstate commerce.”

seas or the Great Lakes on regular routes from port to port between one State, Territory, District, or possession of the United States and any other State, Territory, District, or possession of the United States, or between places in the same Territory, District, or possession.

* * * * *

"Person."

The term "person" includes corporations, partnerships, and associations, existing under or authorized by the laws of the United States, or any State, Territory, District, or possession thereof, or of any foreign country.

Citizenship requirement.

SEC. 2. That within the meaning of this Act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof.

* * * * *

Unauthorized giving or receiving information of shipments unlawful.

SEC. 20. That it shall be unlawful for any common carrier by water or other person subject to this Act, or any officer, receiver, trustee, lessee, agent, or employee of such carrier or person, or for any other person authorized by such carrier or person to receive information, knowingly to disclose to or permit to be acquired by any person other than the shipper or consignee, without the consent of such shipper or consignee, any information concerning the nature, kind, quantity, destination, consignee, or routing of any property tendered or delivered to such common carrier or other person subject to this Act for transportation in interstate or foreign commerce, which information may be used to the detriment or prejudice of such shipper or consignee, or which may improperly disclose his business transactions to a competitor, or which may be used to the detriment or prejudice of any carrier; and it shall also be unlawful for any person to solicit or knowingly receive any such information which may be so used.

Conditions.

Authorities entitled to receive information.

Nothing in this Act shall be construed to prevent the giving of such information in response to any legal process issued under the authority of any court, or to any officer or agent of the Government of the United States, or of any State, Territory, District, or possession thereof, in the exercise of his powers, or to any officer or other duly authorized person seeking such information for the prosecution of persons charged with or suspected of crime, or to another carrier, or its duly authorized agent, for the purpose of adjusting mutual traffic accounts in the ordinary course of business of such carriers.

* * * * *

SEC. 27. That for the purpose of investigating alleged violations of this Act, the board may by subpoena compel the attendance of witnesses and the production of books, papers, documents, and other evidence from any place in the United States at any designated place of hearing. Subpoenas may be signed by any commissioner, and oaths or affirmations may be administered, witnesses examined, and evidence received by any commissioner or examiner, or, under the direction of the board, by any person authorized under the laws of the United States or of any State, Territory, District, or possession thereof to administer oaths. Persons so acting under the direction of the board and witnesses shall, unless employees of the board, be entitled to the same fees and mileage as in the courts of the United States. Obedience to any such subpoena shall, on application by the board, be enforced as are orders of the board other than for the payment of money.

Authority to
secure testi-
mony, etc.

Subpoenas,
depositions,
etc.

Fees, etc.

Enforcement.

SEC. 30. That in case of violation of any order of the board for the payment of money the person to whom such award was made may file in the district court for the district in which such person resides, or in which is located any office of the carrier or other person to whom the order was directed, or in which is located any point of call on a regular route operated by the carrier, or in any court of general jurisdiction of a State, Territory, District, or possession of the United States having jurisdiction of the parties, a petition or suit setting forth briefly the causes for which he claims damages and the order of the board in the premises.

For payment
of money.

CHAP. 463.—An Act To increase the revenue; and for other purposes. Sept. 8, 1916.
[H. R. 16763.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[Public, No.
271.]
39 Stat. L.,
pt. 1, p. 756.
Revenue act,
1916.

TITLE I.—INCOME TAX.

PART I.—ON INDIVIDUALS.

Income tax.
On individ-
uals.

INCOME EXEMPT FROM LAW.

Exemptions.

SEC. 4 (as amended by Public No. 50, Sixty-fifth Congress). The following income shall be exempt from the provisions of this title:

Sources
specified.

interest upon the obligations of a State or any political subdivision thereof or upon the obligations of the United States (but, in the case of obligations of the United States issued after September first, nineteen hundred and seventeen, only if and to the extent provided in the Act author-

Interest on
State, Federal,
etc., obliga-
tions.

izing the issue thereof) or its possessions or securities issued under the provisions of the Federal Farm Loan Act of July seventeenth, nineteen hundred and sixteen;

Deductions allowed.

DEDUCTIONS ALLOWED.

Citizens or residents. SEC. 5 (as amended by Public No. 50, Sixty-fifth Congress). That in computing net income in the case of a citizen or resident of the United States—

Objects specified.

(a) For the purpose of the tax there shall be allowed as deductions—

General taxes.

“Third. Taxes paid within the year imposed by the authority of the United States (except income and excess profits taxes) or of its Territories, or possessions, or any foreign country, or by the authority of any State, county, school district, or municipality, or other taxing subdivision of any State, not including those assessed against local benefits;”

Non resident aliens.

NONRESIDENT ALIENS.

SEC. 6. That in computing net income in the case of a nonresident alien—

Deductions allowed.

(a) For the purpose of the tax there shall be allowed as deductions—

Business expenses in United States. Taxes paid in United States.

Third. Taxes paid within the year imposed by the authority of the United States (except income and excess profits taxes) or of its Territories, or possessions, or by the authority of any State, country, school district, or municipality, or other taxing subdivision of any State, paid within the United States, not including those assessed against local benefits;

Returns.

RETURNS.

Computed on preceding calendar year. SEC. 8. (a) The tax shall be computed upon the net income, as thus ascertained, of each person subject thereto, received in each preceding calendar year ending December thirty-first.

Partnerships. Returns of individual interests.

“(e) (As amended by Public No. 50, Sixty-fifth Congress). Persons carrying on business in partnership shall be liable for income tax only in their individual capacity, and the share of the profits of the partnership to which any taxable partner would be entitled if the same were divided, whether divided or otherwise, shall be returned for taxation and the tax paid under the provisions of this title: *Provided*, That from the net distributive interests on which the individual members shall be liable for tax, normal and additional, there shall be excluded their proportionate shares received from interests on the obligations of a State or any political or taxing subdivision thereof, and upon the obligations of the United States

Proviso. Deductions allowed on members.

“(e) (As amended by Public No. 50, Sixty-fifth Congress). Persons carrying on business in partnership shall be liable for income tax only in their individual capacity, and the share of the profits of the partnership to which any taxable partner would be entitled if the same were divided, whether divided or otherwise, shall be returned for taxation and the tax paid under the provisions of this title: *Provided*, That from the net distributive interests on which the individual members shall be liable for tax, normal and additional, there shall be excluded their proportionate shares received from interests on the obligations of a State or any political or taxing subdivision thereof, and upon the obligations of the United States

(if and to the extent that it is provided in the Act authorizing the issue of such obligations of the United States that they are exempt from taxation), and its possessions, and that for the purpose of computing the normal tax there shall be allowed a credit, as provided by section five, subdivision (b), for their proportionate share of the profits derived from dividends.

Tax paid at source.

* * * * *

PART II.—ON CORPORATIONS.

Corporations.

* * * * *

CONDITIONAL AND OTHER EXEMPTIONS.

Exemptions.

SEC. 11.

* * * * *

(b) There shall not be taxed under this title any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico.

Income of States, etc., from public utilities.

DEDUCTIONS.

Deductions.

SEC. 12 (as amended by Public 50, Sixty-fifth Congress). (a) In the case of a corporation, joint-stock company or association, or insurance company, organized in the United States, such net income shall be ascertained by deducting from the gross amount of its income received within the year from all sources—

Domestic corporations, from gross revenue.

* * * * *

“Fourth. Taxes paid within the year imposed by the authority of the United States (except income and excess profits taxes), or of its Territories, or possessions, or any foreign country, or by the authority of any State, county, school district, or municipality, or other taxing subdivision of any State, not including those assessed against local benefits.”

General taxes.

(b) In the case of a corporation, joint-stock company or association, or insurance company, organized, authorized, or existing under the laws of any foreign country, such net income shall be ascertained by deducting from the gross amount of its income received within the year from all sources within the United States—

Foreign corporations, from gross revenue in United States.

* * * * *

“Fourth. Taxes paid within the year imposed by the authority of the United States (except income and excess profits taxes), or of its Territories, or possessions, or by the authority of any State, county, school district, or municipality, or other taxing subdivision of any State, paid within the United States, not including those assessed against local benefits.”

General taxes.

* * * * *

General provisions. PART III.—GENERAL ADMINISTRATIVE PROVISIONS.

^{“State”} SEC. 15. That the word “State” or “United States” ^{“United States” con-} when used in this title shall be construed to include any ^{strued.}

Territory, the District of Columbia, Porto Rico, and the Philippine Islands, when such construction is necessary to carry out its provisions.

* * * * *

^{Porto Rico and Philippine Provisions.} SEC. 23. That the provisions of this title shall extend to Porto Rico and the Philippine Islands: *Provided*, That

^{Collection by insular officers for use thereof.} the administration of the law and the collection of the taxes imposed in Porto Rico and the Philippine Islands shall be by the appropriate internal-revenue officers of those governments, and all revenues collected in Porto Rico and the Philippine Islands thereunder shall accrue intact to the general Governments thereof, respectively:

^{Jurisdiction of Philippine courts.} *Provided further*, That the jurisdiction in this title conferred upon the district courts of the United States shall, so far as the Philippine Islands are concerned, be vested

in the courts of the first instance of said islands: *And provided further*, That nothing in this title shall be held to exclude from the computation of the net income the compensation paid any official by the governments of the District of Columbia, Porto Rico, and the Philippine Islands, or the political subdivisions thereof.

EXECUTIVE ORDER.

BUSINESS ASSIGNED TO BUREAU OF INSULAR AFFAIRS.

The following provision is contained in section 21 of an Act of Congress approved August 29, 1916, entitled:

“An Act To declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands.”

* * * “He (the Governor General of the Philippine Islands) shall annually and at such other times as he may be required make such official report of the transactions of the government of the Philippine Islands to an executive department of the United States to be designated by the President, and his said annual report shall be transmitted to the Congress of the United States; and he shall perform such additional duties and functions as may in pursuance of law be delegated or assigned to him by the President.”

Under this provision hereafter all official reports which the Governor General of the Philippine Islands may be required to make of the transactions of the Government of the Philippine Islands will be made to the War Department, and all matters pertaining to the Government of the Philippine Islands, except as otherwise provided by law, are placed in the jurisdiction of that department.

The business of the War Department pertaining to civil government in the Philippine Islands is, pursuant

to section 87 of the Act of Congress approved July 1st, 1902, assigned to the Bureau of Insular Affairs.

WOODROW WILSON.

THE WHITE HOUSE,
19 September, 1916.
[No. 2456.]

CHAP. 29.—An Act To regulate the immigration of aliens to and the residence of aliens in, the United States. [Feb. 5, 1917.
H. R. 10384.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the word "alien" wherever used in this Act shall include any person not a native-born or naturalized citizen of the United States; but this definition shall not be held to include Indians of the United States not taxed or citizens of the islands under the jurisdiction of the United States. That the term "United States" as used in the title as well as in various sections of this Act shall be construed to mean the United States, and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone or any insular possession of the United States and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term "seaman" as used in this Act shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

That this Act shall be enforced in the Philippine Islands by officers of the general government thereof, unless and until it is superseded by an act passed by the Philippine Legislature and approved by the President of the United States to regulate immigration in the Philippine Islands as authorized in the Act entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," approved August twenty-ninth, nineteen hundred and sixteen.

SEC. 2. That there shall be levied, collected, and paid a tax of \$8 for every alien, including alien seamen regularly admitted as provided in this Act, entering the United States: *Provided*, That children under sixteen years of age who accompany their father or their mother shall not be subject to said tax.

Provided further, That said tax when levied upon aliens entering the Philippine Islands, shall be paid into the treasury of said islands, to be expended for the benefit of such islands.

* * * * *

Holders of foreign passports to the detriment of labor conditions excluded.

SEC. 3. * * * *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens or subjects to go to any country other than the United States, or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other foreign country or from such insular possession or from the Canal Zone; * * *

* * * * *

June 15, 1917.
[H. R. 291.]

[Public, No. 24.] **CHAP. 30.**—An Act To punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes.

40 Stat. L., pt. 1, p. 217.
National defense, espionage, neutrality, etc.

TITLE XIII.

General provisions.

GENERAL PROVISIONS.

United States. SECTION 1. The term “United States” as used in this Territory in. Act includes the Canal Zone and all territory and waters, included in term. continental or insular, subject to the jurisdiction of the United States.

Philippine Islands and Ca- SEC. 2. The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent Jurisdiction of courts in. jurisdiction with the district courts of the United States Conspiracies. of offenses under this Act committed upon the high seas, Vol. 35, p. 1096. and of conspiracies to commit such offenses, as defined by section thirty-seven of the Act entitled “An Act to codify, revise, and amend the penal laws of the United States,” approved March fourth, nineteen hundred and nine, and the provisions of said section, for the purpose of this Act, are hereby extended to the Philippine Islands, Duties of district attorney. and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys.

June 21, 1917. **CHAP. 32.**—An Act To amend the Act approved December [H. R. 3673.] twenty-third, nineteen hundred and thirteen, known as the Federal [Public, No. 25.] reserve Act, as amended by the Acts of August fourth, nineteen hundred and fourteen, August fifteenth, nineteen hundred and fourteen, March third, nineteen hundred and fifteen, and September seventh, nineteen hundred and sixteen.

Federal reserve act amendments. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in section three of the Act known as the Fed-

eral reserve Act be amended and reenacted so as to read as follows:

* * * * *

“ National banks, or banks organized under local laws, located in Alaska or in a dependency or insular possession or any part of the United States outside the continental United States may remain non-member banks, and shall in that event maintain reserves and comply with all the conditions now provided by law regulating them; or said banks may, with the consent of the Reserve Board, become member banks of any one of the reserve districts, and shall in that event take stock, maintain reserves, and be subject to all the other provisions of this Act.”

CHAP. 63.—An Act To provide revenue to defray war expenses, and for other purposes.

Oct. 3, 1917.
[H. R. 4280.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[Public No. 50.]
40 Stat. L., pt. 1, p. 800.
War Revenue Act.

War Income Tax.

TITLE I.—WAR INCOME TAX.

* * * * *

SEC. 5. That the provisions of this title shall not extend to Porto Rico or the Philippine Islands, and the Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively.

Not applicable to Porto Rico or Philippine Islands.

TITLE II.—WAR EXCESS PROFITS TAX.

War Excess Profits Tax.
Vol. 39, p. 1000.
Terms construed.
“Corporation.”
“Domestic.”

SEC. 200. That when used in this title—

The term “corporation” includes joint-stock companies or associations and insurance companies;

The term “domestic” means created under the law of the United States, or of any State, Territory, or District thereof, and the term “foreign” means created under the law of any other possession of the United States or of any foreign country or government;

The term “United States” means only the States, the Territories of Alaska and Hawaii, and the District of Columbia;

“United States.”
Limitation.

“Foreign.”

* * * * *

TITLE III.—WAR TAX ON BEVERAGES.

War Tax on Beverages.

SEC. 301. That no distilled spirits produced after the passage of this Act shall be imported into the United States from any foreign country, or from the West Indian Islands recently acquired from Denmark (unless produced from products the growth of such islands, and not then into any State or Territory or District of the United States in which the manufacture or sale of intox-

Importing, forbidden hereafter.

cating liquor is prohibited), or from Porto Rico, or the ^{Admission} Philippine Islands. Under such rules, regulations, and ^{for other than} bonds as the Secretary of the Treasury may prescribe, the provisions of this section shall not apply to distilled spirits imported for other than (1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage.

Oct. 6, 1917.
[H. R. 4960.] **CHAP 106.**—An Act To define, regulate, and punish trading [Public, No. 91.] with the enemy, and for other purposes.

40 Stat. L. p. 411. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act shall be known as the "Trading with the enemy act." *

^{Jurisdiction of courts of} Philippine Islands and ^{Is- lands and Ca-} **SEC. 18.** That the several courts of first instance in the ^{nal Zone.} Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the

^{Conspiracies, etc.} ^{Vol. 35, p. 1096.} high seas and of conspiracies to commit such offenses as defined by section thirty-seven of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, and the provisions of such section for the purpose of this Act are hereby extended to the Philippine Islands and to the Canal Zone.

Jan. 26, 1918.
[H. R. 7897.] **CHAP. 11.**—An Act To authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

40 Stat. L., pt. 1, p. 432. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the militia and other locally created ^{etc., of, m a y be called into} United States ^{Service.} armed forces in the Philippine Islands may be called into the service of the United States, and all members thereof may be drafted into said service and organized in such manner as is or may be provided by law for calling or drafting the National Guard into said service, and shall in all respects while therein be upon the same footing with members of the National Guard so called or drafted: *Provided*, That the pay and allowances of officers and men of the Philippine Militia and other locally created armed forces in the Philippine Islands called into the service of the United States under the provisions of this Act when serving in the Philippine Islands shall in no case exceed the pay and allowances for corresponding grades of Philippine Scouts.

Approved, January 26, 1918.

CHAP. 20.—An Act To extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war. [Mar. 8, 1918.
H. R. 6361.]

* * * * *

[Public, No.
103.]

40 Stat. L.,

pt. 1, p. 440.

SEC. 102. (1) That the provisions of this Act shall apply to the United States, the several States and Territories, the District of Columbia, and all territory subject to the jurisdiction of the United States, and to proceedings commenced in any court therein, and shall be enforced through the usual forms of procedure obtaining in such courts or under such regulations as may be by them prescribed.

CHAP. 26.—An Act To save daylight and to provide standard time for the United States. [Mar. 10, 1918.
S. 1854.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing the standard time of the United States, the territory of continental United States shall be divided into five zones in the manner hereinafter provided.

[Public, No.
108.]

40 Stat. L.,

pt. 1, p. 450.

Daylight sav-

ing.

Standard time for terri-

torial zones.

* * * * *

Standard to govern movement of common carriers.

Official acts to be regulated thereby.

SEC. 2. That within the respective zones created under the authority hereof the standard time of the zone shall govern the movement of all common carriers engaged in commerce between the several States or between a State and any of the Territories of the United States, or between a State or the Territory of Alaska and any of the insular possessions of the United States or any foreign country. In all statutes, orders, rules, and regulations relating to the time of performance of any act by any officer or department of the United States, whether in the legislative, executive, or judicial branches of the Government, or relating to the time within which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of the United States, it shall be understood and intended that the time shall be the United States standard time of the zone within which the act is to be performed.

CHAP. 36.—An Act To authorize the appointment of officers of the Philippine Scouts as officers in the militia or other locally created armed forces of the Philippine Islands drafted into the service of the United States, and for other purposes. [Mar. 30, 1918.
H. R. 9571.]

[Public, No.

114.]

Stat. L., pt.

1, p. 500.

Philippine

Scouts.

Officers may

serve in mil-

itia, etc., with-

out vacating

the commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the Philippine Scouts be, and they hereby are, made eligible to appointment as officers in the militia or other locally created armed forces in the Philippine Islands which have been or shall hereafter be drafted into the service of the United States; and any

such officer of the Philippine Scouts so appointed as an officer in said drafted forces shall not thereby vacate his commission in the Philippine Scouts, and in case his commission in said Philippine Scouts shall terminate while holding a commission in said drafted forces as aforesaid, he shall thereupon be eligible to reappointment as an officer of said Philippine Scouts notwithstanding his retention of a commission in said drafted forces.

Service credits. SEC. 2. That in computing period of service for any purpose officers of the Philippine Scouts shall be credited with all time served as commissioned officers in the drafted forces mentioned in section one of this Act.

Apr. 20, 1918. **CHAP. 59.**—An Act To punish the willful injury or destruction
[S. 383.] of war material, or of war premises or utilities used in connec-
[Public, No. tion with war material, and for other purposes.

May 9, 1918. **CHAP. 69.**—An Act To amend the naturalization laws and to
[H. R. 3132.] repeal certain sections of the Revised Statutes of the United
[Public, No. States and other laws relating to naturalization, and for other
144.] purposes.

40 Stat. L.,
pt. 1, p. 542.
Naturaliza-
tion of aliens.
Vol. 34, p.
598, amended. purposes.
*Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assem-
bled, That section four of the Act entitled "An Act to
establish a Bureau of Immigration and Naturalization
and to provide a uniform rule for the naturalization of
aliens throughout the United States," approved June
twenty-ninth, nineteen hundred and six, be, and is hereby,
amended by adding seven new subdivisions as follows:*

Admission to citizenship. "Seventh. Any native-born Filipino of the age of twenty-one years and upward who has declared his intention to become a citizen of the United States and who has enlisted or may hereafter enlist in the United States Navy or Marine Corps or the Naval Auxiliary Service, and who, after service of not less than three years, may be honorably discharged therefrom, or who may receive an ordinary discharge with recommendation for reenlist-

Residence forment; * * * any alien declarant who has served in three years ^{if} accepted on the United States Army or Navy, or the Philippine Condition ^{of} becoming a citizen, and has been honorably discharged therefrom, and has been accepted for service in either the military

or naval service of the United States on the condition that he becomes a citizen of the United States, may file his petition for naturalization upon proof of continuous residence within the United States for the three years immediately preceding his petition, by two witnesses, citizens of the United States, and in these cases only residence.

Proof of residence in the United States, and in these cases only residence in the Philippine Islands and the Panama Canal

Zone by aliens may be considered residence within the United States, and the place of such military service shall be construed as the place of residence required to be established for purposes of naturalization.

CHAP. 81.—An Act To prevent in time of war departure from or entry into the United States contrary to the public safety. May 22, 1918.
[H. R. 10264.]

* * * * *

[Public, No.
154.]

40 Stat. L.,

Meaning of
pt. 1, p. 559.
United States."

SEC. 4. That the term "United States" as used in this Act includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States.

CHAP. 92.—An Act Making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June thirtieth, nineteen hundred and eighteen, on account of war expenses and for other purposes. June 4, 1918.
[H. R. 12280.]

* * * * *

[Public, No.
164.]

40 Stat. L., p.
594.

WAR DEPARTMENT.

* * * * *

BUREAU OF INSULAR AFFAIRS.

The taxes imposed by the Philippine Legislature in section fourteen hundred and fifty-nine of the act numbered twenty-seven hundred and eleven, enacted by that body on March tenth, nineteen hundred and seventeen, are hereby legalized and ratified, and the collection of all such taxes heretofore or hereafter is legalized, ratified, and confirmed hereby as fully to all intents and purposes as if the same by prior Act of Congress specifically had been authorized and directed. Philippine
tax legislation
legalized.

* * * * *

CHAP. 138.—An Act Providing for the protection of the uniform of friendly nations, and for other purposes. July 8, 1918.
[H. R. 11247.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person, with intent to deceive or mislead, within the United States or Territories, possessions, waters, or places subject to the jurisdiction of the United States, to wear any naval, military, police, or other official uniform, decoration, or regalia of any foreign State, nation, or Government with which the United States is at peace, or any uniform, decoration, or regalia so nearly resembling the same as to be calculated to deceive, unless such wearing thereof be authorized by such State, nation, or Government. [Public No.
190.]

40 Stat. L.,
pt. 1, p. 821.

Uniform,
etc. of friendly
nations.

Unauthor-
ized wear-
ing of, unlawful.

Any person who violates the provisions of this Act shall upon conviction be punished by a fine not exceeding \$300 or imprisonment for not exceeding six months, or by both such fine and imprisonment. Punishment
for.

July 15, 1918. **CHAP. 152.**—An Act To amend the Act approved September 17, 1916, No. 198, ^[H. R. 12100.] seventh, nineteen hundred and sixteen, entitled “An Act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes.”

Shipping Act, Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act approved September 17, 1916, No. 198, ^{Vol. 39, p. 900.} amended, is hereby amended by adding at the end thereof two paragraphs, as follows:

No vessel to be sold to a foreigner unless first offered to Board. **SEC. 3.** That section nine of said act is hereby amended to read as follows:

“No vessel documented under the laws of the United States or owned by any person a citizen of the United States or by a corporation organized under the laws of the United States or of any State, Territory, District, or possession thereof, except one which the board is prohibited from purchasing, shall be sold to any person not a citizen of the United States or transferred to or placed under a foreign registry or flag, unless such vessel is first tendered to the board at the price in good faith

Vol. 39, p. 731. offered by others, or, if no such offer, at a fair price to be determined in the manner provided in section ten.

Added sec- tions. **SEC. 4.** That said Act is hereby amended by adding at the end thereof eight sections, as follows:

Vol. 39, p. 738, amended. **SEC. 37.** That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be

Acts unlaw- ful unless ap- proved by Board. **Proclama- tions, p. 175.** **Transfer of board:** **unlawful, without first obtaining the approval of the American ship transfer board:**

American ship transfer board: **(a) To transfer to or place under any foreign registry or flag any vessel owned in whole or in part by any person a citizen of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof; or**

To vest con- trolling interest in ships, etc., in foreigners. **(d) To make any agreement or effect any understand- ing whereby there is vested in or for the benefit of any person not a citizen of the United States, the controlling**

interest or a majority of the voting power in a corporation which is organized under the laws of the United States, or of any State, Territory, District, or possession thereof, and which owns any vessel, shipyard, dry dock, or shipbuilding or ship-repairing plant or facilities; or

* * * * *

CHAP. 157.—An Act To confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes. July 18, 1918.
[H. R. 12099.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act—

(a) The term “United States” includes any State, Territory, or District of the United States, the insular possessions, the Canal Zone, and all lands or waters subject to the jurisdiction of the United States.

[Public No. 202.]

40 Stat. L., pt. 1, p. 913.

Shipping charters, etc.

Terms con-

strued “United

States.”

CHAP. 18.—An Act To provide revenue, and for other purposes. Feb. 24, 1919.
[H. R. 12863.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[Public No. 254.]

40 Stat. L., pt. 1, p. 1057.

Revenue act

of 1918.

General defi-
nitions.

TITLE I.—GENERAL DEFINITIONS.

SECTION 1. That when used in this Act—

* * * * *

The term “domestic” when applied to a corporation or partnership means created or organized in the United States; “Domestic.”

The term “foreign” when applied to a corporation or partnership means created or organized outside the United States; “Foreign.”

The term “United States” when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia; “United States.”

* * * * *

TITLE II.—INCOME TAX.

Income tax.

* * * * *

PART II.—INDIVIDUALS.

Individuals.

* * * * *

GROSS INCOME DEFINED.

Gross income.
Sources in-
cluded.

Post, p. 1077.

SEC. 213. That for the purposes of this title (except as otherwise provided in section 233) the term “gross income”—

* * * * *

(4) Interest upon * * * (c) the obligations of the United States or its possessions; or (d) bonds issued by the War Finance Corporation: *Provided*, That every person owning any of the obligations, securities or bonds enumerated in clauses (a), (b), (c) and (d) shall, in the

Interest on
State, etc.,
debts.

Proviso.

Returns re-
quired.

Limitation on
Federal securities
issued after Septem-
ber 1, 1917,
etc.

return required by this title, submit a statement showing the number and amount of such obligations, securities and bonds owned by him and the income received therefrom, in such form and with such information as the Commissioner may require. In the case of obligations of the United States issued after September 1, 1917, and in the case of bonds issued by the War Finance Corporation, the interest shall be exempt only if and to the extent provided in the respective Acts authorizing the issue thereof as amended and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt from taxation to the taxpayer both under this title and under Title III;

By States,
etc., from pub-
lic utilities.

(7) Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, or income accruing to the government of any possession of the United States, or any political subdivision thereof.

Deductions
allowed.
Objects speci-
fied.

DEDUCTIONS ALLOWED.

SEC. 214. (a) That in computing net income there shall be allowed as deductions:

Domestic
taxes.
Exemptions.

(3) Taxes paid or accrued within the taxable year imposed; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 222;

Credit for
taxes.

CREDIT FOR TAXES.

Allowances.

SEC. 222. (a) That the tax computed under Part II of this title shall be credited with:

Citizens, for
taxes paid to
foreign coun-
tries, etc.

(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

Residents, to
United States
possessions.

(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

If, partner,
trust, benefi-
ciary, etc.

(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid during the taxable year to a foreign country or to any possession of the United States, as the case may be.

(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the Commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits. Evidence of foreign income, etc., required.

PART III.—CORPORATIONS.

Corporations.

* * * * *

DEDUCTIONS ALLOWED.

Deductions.

SEC. 234. (a) That in computing the net income of a corporation subject to the tax imposed by section 230 there shall be allowed as deductions:

* * * * *

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war-profits and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238; or Domestic taxes. Exceptions.

* * * * *

CREDIT FOR TAXES.

Credit for taxes.

SEC. 238. (a) That in the case of a domestic corporation the total taxes imposed for the taxable year by this title and by Title III shall be credited with the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States. Paid to foreign countries or United States possessions. Domestic corporations.

* * * * *

(b) This credit shall be allowed only if the taxpayer furnishes evidence satisfactory to the Commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, as the case may be, and all other information necessary for the computation of such credit. Evidence of foreign income required.

* * * * *

CONSOLIDATED RETURNS.

Consolidated returns.

* * * * *

(c) For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (but not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources without the United States, which the amount of any dividends (not deductible under section 234) received by such domestic corporation from such foreign corporation during the taxable

Credit of foreign taxes if foreign corporation is owned, etc., by domestic.

*Proviso.
Limit.*

year bears to the total taxable income of such foreign corporation upon or with respect to which such taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under section 234) received by such domestic corporation during the taxable year.

Administrative provisions.

PART IV.—ADMINISTRATIVE PROVISIONS.

* * * * *

Citizens of
United States
possessions.

CITIZENS OF UNITED STATES POSSESSIONS.

If not of United States, there only on income from United States sources. SEC. 260. That any individual who is a citizen of any taxable person of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.

Porto Rico
and Philip-
pines.

PORTO RICO AND PHILIPPINE ISLANDS.

Tax collection by insular officials. SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the Revenue Act of 1916 as amended.

Returns and payments. Returns shall be made and taxes shall be paid under Title I of such Act in Porto Rico or the Philippine Islands, as the case may be, by (1) every individual who

Citizens and residents. is a citizen or resident of Porto Rico or the Philippine Islands or derives income from sources therein, and (2)

Corporations. every corporation created or organized in Porto Rico or the Philippine Islands or deriving income from sources therein.

Nonresidents from insular sources. An individual who is neither a citizen nor a resident of Porto Rico or the Philippine Islands but derives income from sources therein, shall be taxed in Porto Rico or the Philippine Islands as a nonresident alien individual, and a corporation created or organized outside Porto Rico or the Philippine Islands and deriving income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a foreign corporation. For the purposes of section 216 and of paragraph (6) of subdivision (a) of section 234 a tax imposed in Porto Rico or the Philippine Islands upon the net income of a corporation shall not be deemed to be a tax under this title.

No credit or reduction for insular corporation tax. The Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively.

* * * * *

TITLE VI.—TAX ON BEVERAGES.

Tax on beverages.

SEC. 601. That no distilled spirits produced after October 3, 1917, shall be imported into the United States from any foreign country, or from the Virgin Islands (unless produced from products the growth of such islands, and not then into any State or Territory or District of the United States in which the manufacture or sale of intoxicating liquor is prohibited), or from Porto Rico, or the Philippine Islands. Under such rules, regulations, and bonds as the Secretary may prescribe, the provisions of this section shall not apply to distilled spirits imported for other than (1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage.

Importing spirits produced after October 3, 1917, forbidden.

For other than beverage allowed.

TITLE X.—SPECIAL TAXES.

Narcotics.

SEC. 1006. That section 1 of the Act of Congress approved December 17, 1914, is hereby amended to read as follows:

Provided further, That officials of the United States, Officials not taxed. Territorial, District of Columbia, or insular possessions, State or municipal governments, who in the exercise of their official duties engage in any of the business herein described, shall not be required to register, nor pay special tax, nor stamp the aforesaid drugs as hereinafter prescribed, but their right to this exemption shall be evidenced in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations prescribe.

Evidence required.

SEC. 1007. That section 6 of such Act of December 17, 1914, is hereby amended to read as follows:

Provided further, That any manufacturer, producer, compounder, or vendor (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years Preservation for inspection. in such a way as to be readily accessible to inspection by any officer, agent or employee of the Treasury Department Vol. 38, p. 788. duly authorized for that purpose, and the State, Territorial, District, municipal, and insular officers named in section 5 of this Act, and every such person so possessing or disposing of such preparations and remedies Registry and payment of tax required.

shall register as required in section 1 of this Act and, if he is not paying a tax under this Act, he shall pay a special tax of \$1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this Act.

* * * * *

General provisions.

TITLE XIV.—GENERAL PROVISIONS.

Laws repealed. SEC. 1400. (a) That the following parts of Acts are hereby repealed, subject to the limitations provided in subdivision (b);

* * * * *

Porto Rico and Phillipines. Title I of the Revenue Act of 1916 as amended by the Revenue Act of 1917 shall remain in force for the assessment and collection of the income tax in Porto Rico and the Philippine Islands, except as may be otherwise provided by their respective legislatures.

* * * * *

Effective date of act. SEC. 1409. That unless otherwise herein specially provided, this Act shall take effect on the day following its passage.

Approved, 6.55 p. m. February 24, 1919.

Mar. 1, 1919. **CHAP. 86.**—An Act Making appropriations for the legislative, [H. R. 14078.] executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

314.] 40 Stat. L. * * * * * pt. 1, p. 1218.

LEGISLATIVE.

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HOUSE OF REPRESENTATIVES.

* * * * *

Clerk hire, Members and Delegates. **CLERK HIRE, MEMBERS AND DELEGATES:** For clerk of each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, \$3,200 per annum, in monthly installments, \$1,408,000, or so much thereof as may be necessary: *Provided*, That no part

Proviso. **Payment to Members, etc., forbidden.** thereof shall be paid to any Member, Delegate, or Resident Commissioner.

* * * * *

APPENDIX I.

Protocol of agreement between the United States and Spain, embodying the terms of a basis for the establishment of peace between the two countries. Signed at Washington, August 12, 1898. Aug. 12, 1898.
30 Stat. L., p. 1742.

PROTOCOL.

William R. Day, Secretary of State of the United States, and His Excellency Jules Cambon, Ambassador Extraordinary and Plenipotentiary of the Republic of France at Washington, respectively possessing for this purpose full authority from the Government of the United States and the Government of Spain, have concluded and signed the following articles, embodying the terms on which the two Governments have agreed in respect to the matters hereinafter set forth, having in view the establishment of peace between the two countries, that is to say:

Terms of basis for establishment of peace with Spain.

ARTICLE I. Spain will relinquish all claim of sovereignty over and title to Cuba. Cuba.

ART. II. Spain will cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and also an island in the Ladrones to be selected by the United States. Porto Rico, etc.

ART. III. The United States will occupy and hold the city, bay and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition and government of the Philippines. Philippine Islands.

ART. IV. Spain will immediately evacuate Cuba, Porto Rico and other islands now under Spanish sovereignty in the West Indies; and to this end each Government will, within ten days after the signing of this protocol, appoint Commissioners, and the Commissioners so appointed shall, within thirty days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and each Government will, within ten days after the signing of this protocol, also appoint other Commissioners, who shall, within thirty days after the signing of this protocol, meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies. Evacuation of Cuba, etc.

ART. V. The United States and Spain will each appoint not more than five commissioners to treat of peace, and the commissioners so appointed shall meet at Paris not later than October 1, 1898, and proceed to the negotiation and conclusion of a treaty of peace, which treaty shall be subject to ratification according to the respective constitutional forms of the two countries. Treaty of peace.

ART. VI. Upon the conclusion and signing of this protocol, hostilities between the two countries shall be suspended, and notice to that effect shall be given as soon as possible by each Government to the commanders of its military and naval forces. Suspension of hostilities.

Done at Washington in duplicate, in English and in French, by the undersigned, who have hereunto set their hands and seals, the 12th day of August, 1898.

[SEAL.]

[SEAL.]

WILLIAM R. DAY.
JULES CAMBON.

APPENDIX II.

Dec. 10, 1898. TREATY OF PEACE BETWEEN THE UNITED STATES OF
80 Stat. L., p.
1754. AMERICA AND THE KINGDOM OF SPAIN.

Signed at Paris, December 10, 1898.
Ratification advised by the Senate, February 6, 1899.
Ratified by the President, February 6, 1899.
Ratified by Her Majesty the Queen Regent of Spain, March 19, 1899.
Ratifications exchanged at Washington, April 11, 1899.
Proclaimed, Washington, April 11, 1899.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Proclamation.

A PROCLAMATION.

Whereas, a Treaty of Peace between the United States of America and Her Majesty the Queen Regent of Spain, in the name of Her August Son, Don Alfonso XIII, was concluded and signed by their respective plenipotentiaries at Paris on the tenth day of December, eighteen hundred and ninety-eight, the original of which Convention being in the English and Spanish languages, is word for word as follows:

The United States of America and Her Majesty the Queen Regent of Spain, in the name of Her August Son, Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as Plenipotentiaries:

The President of the United States, William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States,

And Her Majesty the Queen Regent of Spain,

American plenipotentiaries. Don Eugenio Montero Ríos, President of the Senate, Don Buenaventura de Abarzuza, Senator of the Kingdom and ex-Minister of the Crown, Don José de Garnica, Deputy in the Cortes and Associate Justice of the Supreme Court, Don Wenceslao Ramírez de Villa Urrutia, Envoy Extraordinary and Minister Plenipotentiary at Brussels and Don Rafael Cerero, General of Division;

Spanish plenipotentiaries. Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles:

Exchange of powers. Cuba. ARTICLE I. Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the Island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

Porto Rico, ART. II. Spain cedes to the United States the Island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the Island of Guam in the Marianas or Ladrones.

West Indies. Guam. Philippine Is. lands. ART. III. Spain cedes to the United States the Archipelago known as the Philippine Islands, and comprehending the islands lying within the following lines:

—boundaries. A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth to the one hundred and twenty-seventh degree meridian of longitude

east of Greenwich, thence along the one hundred and twenty-seventh degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes north latitude, thence along the parallel of four degrees and forty-five minutes north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty-five minutes east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes east of Greenwich to the parallel of latitude seven degrees and forty minutes north, thence along the parallel of latitude seven degrees and forty minutes north to its intersection with the one hundred and sixteenth degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth degree parallel of north latitude with the one hundred and eighteenth degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars within three months after the exchange of the ratification of the present treaty. —payment to Spain.

ART. IV. The United States will, for the term of ten years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States. Spanish ships and merchandise of the Philippines.

ART. V. The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the Island of Guam, on terms similar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August twelfth, eighteen hundred and ninety-eight, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Governments. Stands of colors, uncaptured war vessels, small arms, guns of all calibers, with their carriages and accessories, powder, ammunition, live stock, and materials and supplies of all kinds belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defenses, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the meantime, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

ART. VI. Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offenses, in connection with the insurrections in Cuba and the Philippines and the war with the United States. Reciprocally, the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

ART. VII. The United States and Spain mutually relinquish all claims for indemnity, national and individual of every kind, of either Government, or of its citizens, or subjects, against the other Government, that may have arisen since the beginning of the

Spanish soldiers returned to Spain.

Arms.

Evacuation.—Philippines and Guam.

—Porto Rico and other islands.

—time limit.—colors arms, etc.

—heavy ordnance.

Prisoners of war, reciprocal release of.

Return of prisoners of war.

Claims, mutual relinquishment of.

late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

Assumption of claims by the United States. The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

ART. VIII. In conformity with the provisions of Articles I, II,

Territory and III of this treaty, Spain relinquishes in Cuba, and cedes in property relinquished by Porto Rico and other islands in the West Indies, in the Island of Spain. Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

Property rights protected. And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, can not in any respect impair the property or rights which by law

belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

Public documents relinquished. The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula.

Right to copies. Where any documents in such archives only in part relate to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants.

Archives and records, preservation, access to. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the Islands aforesaid.

Spanish subjects in the territory relinquished. Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may

remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have

—civil and political rights, how determined. renounced it and to have adopted the nationality of the territory in which they may reside. The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Religion, free exercise of. ART. X. The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in free exercise of their religion.

Spanish residents subject to jurisdiction of the courts. ART. XI. The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject to jurisdiction in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the

Right to appear before such courts. ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong

ART. XII. Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

1. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

Judicial proceedings pending.

2. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.

Judgments.

3. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

Civil suits.

ART. XIII. The rights of property secured by copyrights and patent acquired by Spaniards in the Island of Cuba, and in Porto Rico, the Philippines and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

Copyrights and patents.

ART. XIV. Spain shall have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

Consular officers.

ART. XV. The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade.

Vessels, reciprocity.

This article may at any time be terminated on six months' notice given by either Government to the other.

—termination of.

ART. XVI. It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the island to assume the same obligations.

Cuba, limitation upon obligations assumed.

ART. XVII. The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

Ratification, time limit.

In faith whereof, we, the respective plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the tenth day of December, in the year of our Lord one thousand eight hundred and ninety-eight.

[SEAL] WILLIAM R. DAY. [SEAL] EUGENIO MONTERO RíOS.
 [SEAL] CUSHMAN K. DAVIS. [SEAL] B. DE ABARZUZA.
 [SEAL] WM. P. FRYE. [SEAL] J. DE GAÑICA.
 [SEAL] GEO. GRAY. [SEAL] W. R. DE VILLA-URRUTIA.
 [SEAL] WHITELAW REID. [SEAL] RAFAEL CERERO.

And whereas, the said convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the eleventh day of April, one thousand eight hundred and ninety-nine;

Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said convention to be made public, to the end that the same and every

120 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this eleventh day of April, in the year of our Lord one thousand eight hundred and [SEAL] ninety-nine, and of the independence of the United States the one hundred and twenty-third.

WILLIAM MCKINLEY.

By the President:

JOHN HAY,

Secretary of State.

APPENDIX III.

Protocol of agreement extending, as to the Philippine Islands, for six months from April 11, 1900, the period fixed in Article IX of the Treaty of Peace between the United States and Spain, signed at Paris December 10, 1898, during which Spanish subjects, natives of the Peninsula, may declare before a court of record their intention to retain their Spanish nationality. Signed at Washington, March 29, 1900; advice and consent of the Senate, April 27, 1900; proclaimed, April 28, 1900.

March 29, 1900.
81 Stat. L. p. 1891.
Philippine Islands, registration of Spanish subjects in.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a protocol of agreement extending, as to the Philippine Islands, for six months from April 11, 1900, the period fixed in Article IX of the Treaty of Peace between the United States and Spain, signed at Paris on the tenth day of December, 1898, during which Spanish subjects, natives of the Peninsula, may declare before a court of record their intention to retain their Spanish nationality, was signed at Washington on March 29, 1900, by the Honorable John Hay, Secretary of State of the United States, and the Duke de Arcos, envoy extraordinary and minister plenipotentiary of Spain at Washington, the original of which protocol of agreement being in the English and Spanish languages, is word for word as follows:

Preamble.

Whereas by the ninth Article of the Treaty of Peace between the United States of America and the Kingdom of Spain, signed at Paris on December 10, 1898, it was stipulated and agreed that Spanish subjects, natives of the Peninsula, remaining in the territory over which Spain by Articles I and II of the said treaty relinquished or ceded her sovereignty could preserve their allegiance to the Crown of Spain by making before a court of record within a year from the date of the exchange of ratifications of said treaty, a declaration of their decision to preserve such allegiance;

And whereas the two High Contracting Parties are desirous of extending the time within which such declaration may be made by Spanish subjects, natives of the Peninsula, remaining in the Philippine Islands;

The undersigned Plenipotentiaries, in virtue of their full powers, have agreed upon and concluded the following article:

SOLE ARTICLE.

The period fixed in Article IX of the Treaty of Peace between the United States and Spain, signed at Paris on the tenth day of December, 1898, during which Spanish subjects, natives of the Peninsula, may declare before a court of record their intention to retain their Spanish nationality, is extended as to the Philippine Islands for six months beginning April 11, 1900.

Time extended to Spanish subjects for declaration of intention to retain Spanish nationality.

In witness whereof, the respective Plenipotentiaries have signed the same and have thereunto affixed their seals.

Done in duplicate at Washington the 29th day of March, in the year of Our Lord one thousand nine hundred.

[SEAL]
[SEAL]

JOHN HAY.
ARCOS.
Signatures.

122 ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS.

Proclama- And whereas the Senate of the United States, by its resolution of April 27, 1900, (two-thirds of the Senators present concurring therein,) did advise and consent to the proclamation of the said protocol of agreement:

Now, therefore, I, William McKinley, President of the United States of America, have caused the said protocol of agreement to be made public to the end that every article and clause thereof may be observed in good faith by the United States and the citizens thereof.

In testimony whereof, I have set my hand and caused the seal of the United States to be hereunto affixed.

Done at the City of Washington this twenty-eighth day of April, in the year of our Lord one thousand nine hundred, and of the independence of the United States the one hundred and twenty-fourth.

[SEAL.]

By the President:

JOHN HAY,
Secretary of State.

WILLIAM MCKINLEY.

APPENDIX IV.

Treaty between the United States and Spain for the cession to the United States of any and all islands of the Philippine archipelago lying outside of the lines described in Article III of the treaty of peace of December 10, 1898. Signed at Washington November 7, 1900; ratification advised by the Senate January 22, 1901; ratified by the President January 30, 1901; ratified by Spain February 25, 1901; ratifications exchanged at Washington March 23, 1901; proclaimed March 23, 1901. November 7, 1900. 31 Stat. L. p. 1942. Cession of outlying islands of the Philippines.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and Spain, providing for the cession to the United States of any and all islands of the Philippine Archipelago lying outside of the lines described in Article III of the Treaty of Peace concluded by them at Paris on December 10, 1898, was concluded and signed by their respective plenipotentiaries at the City of Washington on the seventh day of November, 1900, which Convention, being in the English and Spanish languages, is word for word as follows:

The United States of America and Her Majesty the Queen Regent of Spain, in the name of Her August Son, Don Alfonso XIII, desiring to remove any ground of misunderstanding growing out of the interpretation of Article III of the Treaty of Peace concluded between them at Paris the tenth day of December, one thousand eight hundred and ninety eight, whereby Spain cedes to the United States the archipelago known as the Philippine Islands and comprehending the islands lying within certain described lines, and having resolved to conclude a Treaty to accomplish that end, have for that purpose appointed as their respective plenipotentiaries:

The President of the United States, John Hay, Secretary of State of the United States; Plenipotentiaries.

and Her Majesty the Queen Regent of Spain, the Duke de Arcos, Envoy Extraordinary and Minister Plenipotentiary of Spain to the United States;

who, having met in the city of Washington and having exchanged their full powers, which were found to be in due and proper form, have agreed upon the following sole article:

SOLE ARTICLE.

Spain relinquishes to the United States all title and claim of title, which she may have had at the time of the conclusion of the Treaty of Peace of Paris, to any and all islands belonging to the Philippine Archipelago, lying outside the lines described in Article III of that Treaty and particularly to the islands of Cagayan Sultu and Sibutu and their dependencies, and agrees that all such islands shall be comprehended in the cession of the Archipelago as fully as if they had been expressly included within those lines.

Territory relinquished.

The United States, in consideration of this relinquishment, will pay to Spain the sum of one hundred thousand dollars (\$100,000) within six months after the exchange of the ratifications of the present Treaty. Consideration.

Ratification. The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain, after approval by the Cortes of the Kingdom, and the ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty and have hereunto affixed our seals.

Done in duplicate at the city of Washington, the 7th day of November, in the year of Our Lord one thousand nine hundred.

Signatures. [SEAL] JOHN HAY.
[SEAL] ARCO'S.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-third day of March, one thousand nine hundred and one;

Proclamation. Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 23rd day of March, in the year of Our Lord one thousand nine hundred and one, [SEAL] and of the Independence of the United States the one hundred and twenty-fifth.

WILLIAM MCKINLEY.

By the President:

JOHN HAY,
Secretary of State.

APPENDIX V.

INSTRUCTIONS OF THE PRESIDENT.

WAR DEPARTMENT,

Washington, April 7, 1900.

SIR: I transmit to you herewith the instructions of the President for the guidance of yourself and your associates as Commissioners to the Philippine Islands.

Transmittal.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. WILLIAM H. TAFT,

President Board of Commissioners
to the Philippine Islands.

EXECUTIVE MANSION, April 7, 1900.

The SECRETARY OF WAR,

Washington.

SIR: In the message transmitted to the Congress on the 5th of December, 1899, I said, speaking of the Philippine Islands: "As long as the insurrection continues the military arm must necessarily be supreme. But there is no reason why steps should not be taken from time to time to inaugurate governments essentially popular in their form as fast as territory is held and controlled by our troops. To this end I am considering the advisability of the return of the commission, or such of the members thereof as can be secured, to aid the existing authorities and facilitate this work throughout the islands."

Military supreme during insurrection.

To give effect to the intention thus expressed, I have appointed Hon. William H. Taft, of Ohio; Prof. Dean C. Worcester, of Michigan; Hon. Luke E. Wright, of Tennessee; Hon. Henry C. Ide, of Vermont, and Prof. Bernard Moses, of California, commissioners to the Philippine Islands to continue and perfect the work of organizing and establishing civil government already commenced by the military authorities, subject in all respects to any laws which Congress may hereafter enact.

Return of the commission.

The commissioners named will meet and act as a board, and the Hon. William H. Taft is designated as president of the board. It is probable that the transfer of authority from military commanders to civil officers will be gradual and will occupy a considerable period. Its successful accomplishment and the maintenance of peace and order in the meantime will require the most perfect cooperation between the civil and military authorities in the island, and both should be directed during the transition period by the same executive department. The commission will therefore report to the Secretary of War, and all their action will be subject to your approval and control.

Appointment of commissioners.

You will instruct the commission to proceed to the city of Manila, where they will make their principal office, and to communicate with the military governor of the Philippine Islands, whom you will at the same time direct to render to them every assistance within his power in the performance of their duties. Without hampering them by too specific instructions, they should in general be enjoined, after making themselves familiar with the conditions and needs of the country, to devote their attention in

Transfer of authority.

Cooperation.

Reports to Secretary of War.

Proceed to Manila.

Communicate with military governor.

Municipal governments. the first instance to the establishment of municipal governments, in which the natives of the islands, both in the cities and in the rural communities, shall be afforded the opportunity to manage their own local affairs to the fullest extent of which they are capable, and subject to the least degree of supervision and control which a careful study of their capacities and observations of the workings of native control show to be consistent with the maintenance of law, order, and loyalty.

Organization in larger divisions. The next subject in order of importance should be the organization of government in the larger administrative divisions corresponding to counties, departments, or provinces, in which the common interests of many or several municipalities falling within the same tribal lines, or the same natural geographical limits, may best be subserved by a common administration. Whenever the

Transfer of administration to civil authority. commission is of the opinion that the condition of affairs in the islands is such that the central administration may safely be transferred from military to civil control, they will report that conclusion to you, with their recommendations as to the form of central government to be established for the purpose of taking over the control.

Transfer of legislative authority. Beginning with the 1st day of September, 1900, the authority to exercise, subject to my approval, through the Secretary of War, that part of the power of government in the Philippine Islands which is of a legislative nature is to be transferred from the military governor of the islands to this commission, to be thereafter exercised by them in the place and stead of the military governor, under such rules and regulations as you shall prescribe,

Exercise of legislative authority. until the establishment of the civil central government for the islands contemplated in the last foregoing paragraph, or until Congress shall otherwise provide. Exercise of this legislative authority will include the making of rules and orders, having the effect of law, for the raising of revenue by taxes, customs duties, and imposts; the appropriation and expenditure of public funds of the islands; the establishment of an educational system throughout the islands; the establishment of a system to secure an efficient civil service; the organization and establishment of courts; the organization and establishment of municipal and departmental governments, and all other matters of a civil nature for which the military governor is now competent to provide by rules or orders of a legislative character.

Power of appointment. The commission will also have power during the same period to appoint to office such officers under the judicial, educational, and civil-service systems and in the municipal and departmental

Military governor as chief executive. governments as shall be provided for. Until the complete transfer of control the military governor will remain the chief executive head of the government of the islands, and will exercise the executive authority now possessed by him and not herein expressly assigned to the commission, subject, however, to the rules and orders enacted by the commission in the exercise of the legislative powers conferred upon them. In the meantime the municipal and departmental governments will continue to report to the military governor and be subject to his administrative supervision and control, under your direction, but that supervision and control will be confined within the narrowest limits consistent with the requirement that the powers of government in the municipalities and departments shall be honestly and effectively exercised and

Administration and control. that law and order and individual freedom shall be maintained. All legislative rules and orders, establishments of government, and appointments to office by the commission will take effect immediately, or at such times as they shall designate, subject to your approval and action upon the coming in of the commission's reports, which are to be made from time to time as their action is taken.

Civil governments. Wherever civil governments are constituted under the direction of the commission, such military posts, garrisons, and posts.

Insurrection, etc. brigandage, and the maintenance of law and order as the military commander shall deem requisite, and the military forces shall be

at all times subject under his orders to the call of the civil authorities for the maintenance of law and order and the enforcement of their authority. Military subject to call.

In the establishment of municipal governments the commission will take as the basis of their work the governments established by the military governor under his order of August 8, 1899, and under the report of the board constituted by the military governor by his order of January 29, 1900, to formulate and report a plan of municipal government, of which his honor Cayetano Arellano, president of the audiencia, was chairman, and they will give to the conclusions of that board the weight and consideration which the high character and distinguished abilities of its members justify. Municipal governments, basis of.

In the constitution of departmental or provincial governments, they will give especial attention to the existing government of the island of Negros, constituted, with the approval of the people of that island, under the order of the military governor of July 22, 1899, and after verifying, so far as may be practicable, the reports of the successful working of that government, they will be guided by the experience thus acquired, so far as it may be applicable to the condition existing in other portions of the Philippines. They will avail themselves to the fullest degree practicable of the conclusions reached by the previous commission to the Department of provincial governments. Previous conclusions of.

In the distribution of powers among the governments organized by the commission, the presumption is always to be in favor of the smaller subdivision, so that all the powers which can properly be exercised by the municipal government shall be vested in that government, and all the powers of a more general character which can be exercised by the departmental government shall be vested in that government, and so that in the governmental system, which is the result of the process, the central government of the islands, following the example of the distribution of the powers between the States and the National Government of the United States, shall have no direct administration except of matters of purely general concern, and shall have only such supervision and control over local governments as may be necessary to secure and enforce faithful and efficient administration by local officers. Distribution of powers. Vesting of government. Supervision and control by central government.

The many different degrees of civilization and varieties of custom and capacity among the people of the different islands preclude very definite instruction as to the part which the people shall take in the selection of their own officers; but these general rules are to be observed: That in all cases the municipal officers, who administer the local affairs of the people, are to be selected by the people, and that wherever officers of more extended jurisdiction are to be selected in any way, natives of the islands are to be preferred, and if they can be found competent and willing to perform the duties, they are to receive the offices in preference to any others. Selection of local officers.

It will be necessary to fill some offices for the present with Americans, which, after a time, may well be filled by natives of the islands. As soon as practicable a system for ascertaining the merit and fitness of candidates for civil office should be put in force. An indispensable qualification for all offices and positions of trust and authority in the islands must be absolute and unconditional loyalty to the United States, and absolute and unhampered authority and power to remove and punish any officer deviating from that standard must at all times be retained in the hands of the central authority of the islands. Indispensable qualification for office.

In all the forms of government and administrative provisions which they are authorized to prescribe, the commission should bear in mind that the government which they are establishing is designed not for our satisfaction, or for the expression of our theoretical views, but for the happiness, peace, and prosperity of the people of the Philippine Islands, and the measures adopted should be made to conform to their customs, their habits, and even their prejudices, to the fullest extent consistent with the accom- Purpose of government.

plishment of the indispensable requisites of just and effective government.

Certain principles and practical rules to be established and maintained. At the same time the commission should bear in mind, and the people of the islands should be made plainly to understand, that there are certain great principles of government which have been made the basis of our governmental system which we deem essential to the rule of law and the maintenance of individual freedom, and of which they have, unfortunately, been denied the experience possessed by us; that there are also certain practical rules of government which we have found to be essential to the preservation of these great principles of liberty and law, and that these principles and these rules of government must be established and maintained in their islands for the sake of their liberty and happiness, however much they may conflict with the customs or laws of procedure with which they are familiar.

It is evident that the most enlightened thought of the Philippine Islands fully appreciates the importance of these principles and rules, and they will inevitably within a short time command universal assent. Upon every division and branch of the government of the Philippines, therefore, must be imposed these inviolable rules:

Inviolable rules. That no person shall be deprived of life, liberty, or property without due process of law; that private property shall not be taken for public use without just compensation; that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense; that excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted; that no person shall be put twice in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself; that the right to be secure against unreasonable searches and seizures shall not be violated; that neither slavery nor involuntary servitude shall exist except as a punishment for crime; that no bill of attainder, or ex-post-facto law shall be passed; that no law shall be passed abridging the freedom of speech or of the press, or the rights of the people to peaceably assemble and petition the Government for a redress of grievances; that no law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed.

Titles to land. It will be the duty of the commission to make a thorough investigation into the titles to the large tracts of land held or claimed by individuals or by religious orders; into the justice of the claims and complaints made against such landholders by the people of the island or any part of the people, and to seek by wise and peaceable measures a just settlement of the controversies and redress of wrongs which have caused strife and bloodshed in the past. In the performance of this duty the commission is enjoined to see that no injustice is done; to have regard for substantial rights and equity, disregarding technicalities so far as substantial right permits, and to observe the following rules:

Rules to be observed by the Commission. That the provision of the treaty of Paris, pledging the United States to the protection of all rights of property in the islands, and as well the principle of our own Government which prohibits the taking of private property without due process of law, shall not be violated; that the welfare of the people of the islands, which should be a paramount consideration, shall be attained consistently with this rule of property right; that if it becomes necessary for the public interest of the people of the islands to dispose of claims to property which the commission finds to be not lawfully acquired and held disposition shall be made thereof by due legal procedure, in which there shall be full opportunity for fair and impartial hearing and judgment; that if the same public interests require the extinguishment of property rights

lawfully acquired and held due compensation shall be made out of the public treasury therefor; that no form of religion and no minister of religion shall be forced upon any community or upon any citizen of the islands; that upon the other hand no minister of religion shall be interfered with or molested in following his calling, and that the separation between state and church shall be real, entire, and absolute.

Religion.

It will be the duty of the commission to promote and extend, and, as they find occasion, to improve, the system of education already inaugurated by the military authorities. In doing this they should regard as of first importance the extension of a system of primary education which shall be free to all, and which shall tend to fit the people for the duties of citizenship and for the ordinary avocations of a civilized community. This instruction should be given in the first instance in every part of the islands in the language of the people. In view of the great number of languages spoken by the different tribes, it is especially important to the prosperity of the islands that a common medium of communication may be established, and it is obviously desirable that this medium should be the English language. Especial attention should be at once given to affording full opportunity to all the people of the islands to acquire the use of the English language.

Education.

It may be well that the main changes which should be made in the system of taxation and in the body of the laws under which the people are governed, except such changes as have already been made by the military government, should be relegated to the civil government which is to be established under the auspices of the commission. It will, however, be the duty of the commission to inquire diligently as to whether there are any further changes which ought not to be delayed; and if so, they are authorized to make such changes, subject to your approval. In doing so they are to bear in mind that taxes which tend to penalize or repress industry and enterprise are to be avoided; that provisions for taxation should be simple, so that they may be understood by the people; that they should affect the fewest practicable subjects of taxation which will serve for the general distribution of the burden.

—language.

Taxation.

Limitation upon taxation.

The main body of the laws which regulate the rights and obligations of the people should be maintained with as little interference as possible. Changes made should be mainly in procedure, and in the criminal laws to secure speedy and impartial trials, and at the same time effective administration and respect for individual rights.

Main body of laws.

In dealing with the uncivilized tribes of the islands the commission should adopt the same course followed by Congress in permitting the tribes of our North American Indians to maintain their tribal organization and government, and under which many of those tribes are now living in peace and contentment, surrounded by a civilization to which they are unable or unwilling to conform. Such tribal governments should, however, be subjected to wise and firm regulation; and, without undue or petty interference, constant and active effort should be exercised to prevent barbarous practices and introduce civilized customs.

Uncivilized tribes.

Upon all officers and employees of the United States, both civil and military, should be impressed a sense of the duty to observe not merely the material but the personal and social rights of the people of the islands, and to treat them with the same courtesy and respect for their personal dignity which the people of the United States are accustomed to require from each other.

Duties of officers and employees.

The articles of capitulation of the city of Manila on the 13th of August, 1898, concluded with these words:

Articles of capitulation, Manila.

"This city, its inhabitants, its churches and religious worship, its educational establishments, and its private property of all descriptions, are placed under the special safeguard of the faith and honor of the American army."

—protection of life and property.

I believe that this pledge has been faithfully kept. As high and sacred an obligation rests upon the Government of the United States to give protection for property and life, civil and religious freedom, and wise, firm, and unselfish guidance in the paths of ^{the} Charge to peace and prosperity to all the people of the Philippine Islands. I charge this commission to labor for the full performance of this obligation, which concerns the honor and conscience of their country, in the firm hope that through their labors all the inhabitants of the Philippine Islands may come to look back with gratitude to the day when God gave victory to American arms at Manila and set their land under the sovereignty and the protection of the people of the United States.

WILLIAM MCKINLEY.

The SECRETARY OF WAR,
Washington, D. C.

APPENDIX VI.

COINAGE SYSTEM.

FOURTH PHILIPPINE LEGISLATURE, } H. No. 884.
Second Session. }

[No. 2776.]

AN ACT TO regulate the currency system of the Philippine Islands and to establish a reserve fund for the same, amending therefor certain provisions of the Administrative Code.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Articles II, III, IV, V, VI, and VII of Chapter Forty-one of the Administrative Code are hereby amended to read as follows:

"ARTICLE II.—Philippine coins.

" SEC. 1610. *Terms defined.*—‘Silver peso’ or ‘peso’ means the metallic silver peso coined and issued by the Philippine Government under the authority of this Act or of laws enacted by the Congress of the United States.

“‘Certificate of indebtedness’ means certificate of indebtedness issued under this Act and by authority of section six of an Act of Congress, approved March second, nineteen hundred and three, entitled ‘An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands.’

“‘Treasury certificate’ means the certificate issued under and by authority of section sixteen hundred and twenty-two of this Code, as well as the notes known as silver certificates, issued before this Act took effect, under the authority of section eight of the Act of Congress mentioned in the last preceding paragraph.

“ SEC. 1611. *Unit of monetary value in Philippine Islands.*—The unit of value in the Philippine Islands shall be the gold peso consisting of eight thousand three hundred and fifty-nine ten-thousandths (0.8359) grams of gold, nine-tenths fine; two gold pesos to be equal in weight, fineness, and value to the standard gold dollar of the United States.

“ SEC. 1612. *Weight and fineness of Philippine coins.*—The weight and fineness of the Philippine coins hereafter coined shall be as follows:

“ The peso shall be equal to one hundred centavos and shall contain twenty grams of silver eight hundred thousandths fine.

“ The fifty-centavo piece shall contain ten grams of silver seven hundred and fifty thousandths fine.

“ The twenty-centavo piece shall contain four grams of silver seven hundred and fifty thousandths fine.

“ The ten-centavo piece shall contain two grams of silver seven hundred and fifty thousandths fine.

“ The alloy of the above-mentioned silver coins shall be copper.

“ The five-centavo piece shall contain four grams and eighty-seven centigrams of an alloy composed of seventy-five per cent of copper and twenty-five per cent of nickel.

“ The one-centavo piece shall contain five grams and one hundred and eighty-four milligrams of an alloy composed of ninety-five per cent of copper and five per cent of tin and zinc:

“ *Provided*, That in case the public good requires it, the Governor-General is hereby authorized to order by proclamation, with the consent of the presiding officers of both Houses of the Legislature, the reduction of the weight and fineness of the Philippine coins as follows:

“ The peso to contain fifteen grams of silver, eight hundred thousandths fine.

“ The fifty-centavo piece to contain seven grams and fifty centigrams of silver, seven hundred and fifty thousandths fine.

"The twenty-centavo piece to contain three grams of silver, seven hundred and fifty thousandths fine.

"The alloy of these silver coins to be copper.

"The ten-centavo piece to contain five grams of an alloy composed of seventy-five per cent of copper and twenty-five per cent of nickel.

"The five-centavo piece to contain three grams of an alloy composed of seventy-five per cent of copper and twenty-five per cent of nickel.

"The one-centavo piece to contain five grams of an alloy composed of ninety-five per cent of copper and five per cent of tin and zinc.

"**SEC. 1613. Legal tender character of Philippine coins.**—The Philippine silver peso and the gold coins of the United States at the rate of one dollar for two pesos shall be a legal tender in the Philippine Islands for all debts, public and private; the other silver subsidiary coins authorized herein shall be legal tender in the Philippine Islands in amounts not exceeding twenty pesos; and the coins of nickel and copper shall be legal tender in the Philippine Islands in amounts not exceeding two pesos.

"**SEC. 1614. Coinage and recoinage of Philippine coins.**—At the request of the Insular Treasurer and with the approval of the Department Head, the coins authorized under the provisions of section sixteen hundred and twelve may be coined in the amounts necessary to meet the legitimate demands of commerce.

"The coinage shall be executed in the Mint of the Philippine Islands, and, if necessary, in any of the mints of the United States, by contract between the Government of the Philippine Islands and the Secretary of the Treasury of the United States, for which purpose the reasonable cost of the work may be paid. The Secretary of Finance, with the approval of the Governor-General, shall prescribe the designs and inscriptions for said coins, showing that they are of the Philippine Islands, their value, and the year of coinage.

"Philippine coins having greater weight or fineness than those prescribed herein, if paid to any Government office or treasury or to any banking institutions, as well as Philippine coins mutilated or otherwise unfit for circulation, if paid into any treasury of the Government, shall not be reissued, but shall be retained for recoinage in accordance with this law. The losses or gains resulting from the recoinage shall be charged or credited to the currency reserve fund hereinafter established.

"ARTICLE III.—Stamping of counterfeit coin.

"**SEC. 1615. Word 'false' to be stamped on counterfeit coin.**—When counterfeit coin is presented at the Insular Treasury or at any bank doing business in the Philippine Islands or when such coin comes into the official custody of any employee of such treasury or bank, the word 'false' shall be stamped thereon in characters clearly legible to casual inspection and with such instrument as may be prescribed by the Insular Treasurer.

"ARTICLE IV.—Exchanges and redemption of currency and exchanges of drafts for currency by Insular and provincial treasurers.

"**SEC. 1616. Exchange of silver pesos for subsidiary coins.**—Philippine silver pesos shall be exchangeable in sums of ten pesos or any multiple thereof at the Treasury of the Philippine Islands and at the offices of provincial treasurers for subsidiary current coins of silver, nickel, or copper, of smaller denominations than one peso.

"**SEC. 1617. Duty of Insular Treasury to receive worn or mutilated currency of United States.**—When worn or mutilated circulating notes issued by the Treasury of the United States or by any institution organized under the laws of the United States, are presented at the Philippine Treasury in such condition that they will be received and redeemed by the Treasurer of the United States, they shall be received by the Insular Treasurer at their face value, or at such value as would be allowed upon redemption by the Treasurer of the United States, and shall be transmitted by him to the disbursing agent in Washington with instruction for their presentment at the Treasury of the United States for redemption.

"**SEC. 1618. Exchange drawn between Insular and provincial treasurers.**—The Insular Treasurer may exchange for Philippine currency, offered in sums of not less than five hundred pesos, demand drafts and telegraphic transfers upon funds in the hands of any provincial treasurer, when the same can be done without embarrassment to the provincial treasury; and a provincial

treasurer may exchange for Philippine currency, offered in like sums, demand drafts and telegraphic transfers upon the Insular Treasurer.

"SEC. 1619. *Exchange between provincial treasuries.*—Subject to the regulations of the Bureau of the Treasury, any provincial treasurer may exchange for Philippine currency, offered in sums of not less than five hundred pesos, demand drafts and telegraphic transfers upon another provincial treasurer.

"SEC. 1620. *Fixing of rate of exchange.*—For exchange issued under the two preceding sections a premium shall be charged, the rate of which shall be fixed from time to time by the Department Head; and such premium shall be distributed in accordance with the provisions of the regulations of the Bureau.

"ARTICLE V.—*Maintenance of parity.*

"SEC. 1621. *Faculties of Insular Treasurer in respect to maintenance of parity.*—For the purpose of maintaining the parity of the Philippine silver peso with the Philippine gold peso, and of keeping the currency equal in volume only to the demands of trade, the Insular Treasurer is hereby authorized and directed—

"(a) To exchange on demand at the Insular Treasury in Manila for Philippine currency offered in sums of not less than ten thousand pesos or United States currency offered in sums of not less than five thousand dollars, drafts on the currency reserve fund deposited in the United States or elsewhere to the credit of the Insular Treasury, charging for the same a premium of three-quarters of one per centum for demand drafts and of one and one-eighth per centum for telegraphic transfers, and it is further made the duty of the Insular Treasurer to direct the depositaries of the funds of the Philippine Government in the United States to sell on demand, in sums of not less than ten thousand pesos, exchange against the currency reserve fund in the Philippine Islands, charging for the same a premium of three-quarters of one per centum for demand drafts and of one and one-eighth per centum for telegraphic transfers, rendering accounts therefor to the Insular Treasurer and Insular Auditor. But the premium charge for drafts and telegraphic transfers in this paragraph mentioned may be temporarily increased or decreased by order issued by the Department Head should the conditions at any time existing, in his judgment, require such action.

"(b) To exchange at par, on the approval of the Department Head, United States Treasury notes, national-bank notes, United States notes, and United States gold and silver certificates for Philippine currency, and Philippine currency for United States Treasury notes, national-bank notes, United States notes, and United States gold and silver certificates.

"(c) To exchange, on the approval of the Department Head, for Philippine currency, United States gold coin or gold bars in sums of not less than ten thousand pesos or five thousand dollars, charging for the same a premium sufficient to cover the expenses at commercial rates of transporting United States gold coin from New York to Manila. The Department Head shall determine the amount of the premium required by this subsection.

"(d) To withdraw from circulation until paid out in response to demands made upon it by the sale of exchange as provided in paragraph (a) of this section, or by the presenting of United States Treasury notes, national-bank notes, United States notes, United States gold and silver certificates, and United States gold coin or gold bars at the treasury, Philippine currency exchanged and deposited in the treasury in the manner provided in paragraphs (a) and (b) of this section.

"(e) To withdraw from circulation United States Treasury notes, national-bank notes, United States notes, United States gold and silver certificates, and United States gold coin and gold bars received in the Philippine Islands by the Insular Treasurer in exchange for Philippine currency, under paragraph (b) of this section, until called out in response to the presentation of Philippine currency as above provided, or until an insufficiency of Philippine currency shall make necessary an increased coinage, in which case the funds so withdrawn may be used under this Act for the purpose of providing such coinage. The coin so obtained shall become part of the currency reserve fund.

"ARTICLE VI.—*Issuance of treasury certificates.*

"SEC. 1622. *Issuance of treasury certificates.*—The Treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive at the Insular

Treasury or at any of its branches, deposits of the silver pesos authorized herein in sums of not less than twenty pesos, or gold coin of the United States, and to issue treasury certificates therefor in denominations of not less than one peso nor more than five hundred pesos, the coins so deposited to become part of the currency reserve fund hereinafter established and to be subject to the provisions pertaining thereto.

"Treasury certificates shall be receivable for customs, taxes, and for all public dues in the Philippine Islands, and when so received may be reissued, and when held by any banking association in said Islands may be counted as part of its lawful reserve.

"Sec. 1623. *Manner in which Treasury certificates are to be dealt with.*—Treasury certificates shall be prepared and delivered to the Treasurer of the Philippine Islands, safeguarded, issued, withdrawn, and canceled or destroyed, and a record of such transactions shall be kept as hereinbelow provided:

"(a) The necessary drawings, designs, plates and engravings for such certificates shall be approved by the Governor-General upon the recommendation of the Secretary of Finance, and the printing thereof shall be made and executed through the Secretary of the Treasury of the United States upon request of the Governor-General.

"(b) Such certificates, when completed at the Bureau of Engraving and Printing at Washington, shall be delivered to the Bureau of Insular Affairs of the War Department at Washington, the Chief of which Bureau shall receipt therefor in the name of the Government of the Philippines, after having verified the count thereof. The Chief of the Bureau of Insular Affairs shall thereupon transmit such certificates to the Treasurer of the Philippine Islands, and shall also give notice to the Auditor for the Philippine Islands of the denominations and amount of treasury certificates transmitted to the Treasurer of the Philippine Islands. Upon delivery of such certificates to the Treasurer of the Philippine Islands, the Auditor shall receive from the Treasurer a receipt in duplicate of the denominations and amount of the certificates so received upon verifying the count thereof; and of the duplicate receipts so received the Auditor shall retain one, and the other shall be transmitted by the Auditor with his countersignature to the Chief of the Bureau of Insular Affairs at Washington.

"(c) Upon receiving such certificates, the Treasurer of the Philippine Islands shall preserve the same free from all opportunity for loss by theft, and the certificates, in packages of convenient size inclosed in paper strips upon which are printed the denomination and amount included therein, shall be deposited in a vault, called the reserve vault, where they shall remain until required for circulation. While the certificates remain in the reserve vault, they shall not be considered as available cash for the Government, and shall not appear as such on the books of the Treasury, though the Treasurer shall be held responsible for the same as money.

"(d) From time to time the Treasurer of the Philippine Islands shall withdraw such amount of treasury certificates from the reserve vault as may be required to meet the demands for their purchase in accordance with the provisions of section one thousand six hundred and twenty-two. All certificates taken from the reserve vault shall thereafter be treated as available cash for the Government. The pesos received in exchange for the certificates sold shall constitute part of the currency reserve fund as hereafter provided.

"(e) Upon the delivery to the Auditor for the Philippine Islands of the receipt of the Treasurer for the completed certificates transmitted to the Treasury by the Chief of the Bureau of Insular Affairs at Washington, the Auditor for the Philippine Islands shall enter upon a book kept by him for that purpose the denominations, serial numbers, and amounts delivered to the Treasurer of the Philippine Islands. The Treasurer of the Philippine Islands shall keep separate accounts in which shall be recorded the amount and the denominations of the certificates which are daily put into and withdrawn from said reserve vault. The Treasurer of the Philippine Islands shall furnish a transcript of the foregoing daily entries to the Insular Auditor, who shall enter the same upon his books.

"(f) When certificates mutilated or otherwise unfit for circulation shall be paid into the Insular Treasury, they shall not be reissued, but shall be retained in the Treasury for destruction, and, from time to time, when a sufficient amount shall have accumulated, the Department Head, and a committee of two accountants to be designated by the Department Head shall, in the presence of the Treasurer and Auditor, after noting the amounts and denominations of such

certificates, completely destroy the same by burning, and thereafter the Treasurer shall be credited on his accounts in accordance with this action. The credit allowed shall be based upon the written report of the committee of accountants, attested by the Department Head, and the Auditor for the Philippine Islands.

"ARTICLE VII.—Currency reserve fund.

"Sec. 1624. *Currency reserve fund—How constituted.*—For the maintenance of the parity of the Philippine silver peso with the gold peso and for the exchange of Treasury certificates authorized by article six there is constituted in the Insular Treasury a continuing and reimbursable special fund to be denominated the currency reserve fund, which shall be maintained from the following sources:

"(a) From the silver pesos and gold coin of the United States received in exchange for the Treasury certificates sold.

"(b) Proceeds of certificates of indebtedness.

"(c) Profits of seigniorage made by the Insular Government in the purchase of silver bullion and the coinage therefrom as well as the profits derived from the recoinage of Philippine coins of greater weight and fineness than those prescribed herein, and the issue of the Philippine pesos and the subsidiary and minor coins.

"(d) Profits from the sale of exchange by the Insular Government between the Philippine Islands and the United States.

"(e) Proceeds of forfeitures of silver coin or bullion the exportation or importation of which is attempted or effected contrary to law.

"(f) Interest or other profit from investment or deposit made from the currency reserve fund.

"(g) Premiums arising from the sale of interisland telegraphic transfers and demand drafts sold in Manila on provincial treasurers.

"(h) Other receipts derived by the Insular Government from the exercise of its functions of furnishing a convenient and stable currency for the Islands.

"With the approval of the Secretary of Finance, the Treasurer of the Philippine Islands may substitute for any part of the money paid into the currency reserve fund, gold coin of the United States equal in value, and the said Secretary of Finance is, under the approval of the Governor-General, empowered to sell Government silver when the public welfare so requires.

"The currency reserve fund shall be held in the Treasury at Manila or may in part, at the discretion of the Governor-General and upon the recommendation of the Secretary of Finance, on terms accepted by the former, be kept on deposit with branches of the Philippine Treasury in the United States; and the Governor-General is hereby authorized, upon recommendation of the Secretary of Finance, to designate such depositaries of the Philippine Government in the United States among the federal reserve banks as he may deem advisable to be branches of the Philippine Treasury: *Provided, however,* That not more than twenty-five per cent of the currency reserve fund shall be deposited with any single branch depositary in the United States, except branches of the Philippine National Bank in the United States.

"The currency reserve fund shall not at any time be less in amount than the nominal value of the Treasury certificates in circulation or available for circulation, plus fifteen per cent of the money of the Government of the Philippine Islands in circulation and available for circulation, exclusive of the silver certificates in circulation protected by a gold reserve, and if at any time, and for whatever reason, it shall fall below the limit herein fixed, the amount necessary to bring it up to the required minimum shall be considered automatically appropriated out of any funds in the Insular Treasury not otherwise appropriated, and shall be transferred by the Insular Treasurer to the currency reserve fund, under rules and regulations issued by the Secretary of Finance and approved by the Governor-General: *Provided,* That amounts temporarily invested in silver bullion or advanced for the purchase of same for coinage into Philippine currency, may lawfully be counted as part of said fund: *And provided, further,* That in case a transfer of general funds to the currency reserve fund is inadvisable, the Governor-General, with the consent of the presiding officers of both Houses of the Legislature, may order temporary certificates of indebtedness issued within the conditions of section six of the Act of Congress of March second, nineteen hundred and three, entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and the proceeds of such certificates of indebtedness shall

become part of the currency reserve fund and shall be used exclusively for the purposes of said fund.

“Upon recommendation of the Secretary of Finance, approved by the Governor-General, any surplus in the fund mentioned over and above the minimum established in the last preceding paragraph may be used for the purchase of provincial or municipal bonds or be transferred, entirely or in part, to the general funds in the Treasury of the Philippine Islands.

“Sec. 1625. *Application of the currency reserve fund to payment of certificates of indebtedness.*—As the public interest permits, the Secretary of Finance, with the approval of the Governor-General, may direct the payment from the currency reserve fund of the principal and interest of all or any part of the certificates of indebtedness at any time outstanding.

“Sec. 1626. *Limitation upon uses to which the currency reserve fund may be applied.*—The currency reserve fund shall be used exclusively for the following purposes:

“(a) For the redemption on demand of the Treasury certificates outstanding: *Provided*, That, at the option of the Insular Treasurer, such redemption may be made in either Philippine silver pesos, or gold coin of the United States, at the rate of one dollar for two pesos.

“(b) For the purchase of silver bullion, and for expenses incidental to the coinage of money, or the printing of Treasury certificates of the Philippine Islands, transportation of same to the Philippine Islands, from the place of coinage or printing, putting the money into circulation, and to the carrying on of such financial transactions by exchange or otherwise, as may be authorized by law, to maintain the circulation and stability of the currency, and to maintain the parity of the silver peso, including the fractionary coins, with the gold peso.

“(c) For the payment, with the approval of the Department Head, of additional compensation to such persons as shall be designated to count and verify mutilated currency not fit for further circulation in the Treasury prior to the destruction thereof.

“Sec. 1627. *Report of Insular Treasurer upon condition of the currency reserve fund.*—At the opening of each regular session of the Legislature the Insular Treasurer shall submit to the Department Head, who will transmit the same to the Governor-General, a special report containing a detailed statement of the amount and sources of the currency reserve fund, and of all operations of the Treasury relating to said fund, including loans made, during the preceding year. Upon approval by the Governor-General a copy of such report shall be transmitted to each House of the Legislature.”

SEC. 2. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 3. Upon the express or implicit approval of this Act by the President of the United States, as provided in the Act of Congress approved on August twenty-ninth, nineteen hundred and sixteen, entitled “An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those Islands,” the Governor-General shall so announce forthwith, by means of a proclamation, and this Act shall take effect on the date of such proclamation.

Approved, May 6, 1918.

Note.—The coinage system of the Philippine Islands was established under the provisions of sections 76 to 83 of the organic act, “An act temporarily to provide for the administration of the affairs of the civil government in the Philippine Islands, and for other purposes,” approved July 1, 1902, and Public No. 137, approved July 2, 1903, “An act to establish a standard of value and to provide for a coinage system in the Philippine Islands,” as amended by Public No. 274, approved March 23, 1906.

Under the authority contained in the above acts of Congress, the Philippine Commission on October 10, 1903, passed act No. 938—

“An act constituting a gold-standard fund in the insular treasury to be used for the purpose of maintaining the parity of the silver Philippine peso with the gold standard peso, and organizing a division of the currency in the bureau of the insular treasury through which such fund shall be maintained, expenditures made therefrom, and accretions made thereto, and providing regulations for the exchange of currencies and for the issue and redemption of silver certificates”

which was amended by act No. 1463, approved March 12, 1906. Act 938 as amended filled in the details of the new currency system provided by Congress and created the necessary administrative machinery for its maintenance. The Administrative Code of 1916, repealed acts Nos. 938 and 1463, which were in turn repealed by chapter 41 of the Administrative Code of 1917.

Act No. 2776, approved May 6, 1918, "An act to regulate the currency system of the Philippine Islands and to establish a reserve fund for the same," amended articles 2, 3, 4, 5, 6 and 7 of chapter 41 of the Administrative Code of 1917.

Act No. 2776 therefore contains the present law in regard to the currency system of the Philippine Islands as established under the acts of Congress.

APPENDIX VII.

[From Administrative Code, 1917.]

Chapter 2.—POLITICAL GRAND DIVISIONS AND SUBDIVISIONS.

ARTICLE I.—*Grand divisions.*

SEC. 37. Grand divisions of Philippine Islands.

ARTICLE II.—*Situs and major subdivisions of provinces other than such as are contained in Department of Mindanao and Sulu.*

SEC. 38. Situs of provinces and major subdivisions.

ARTICLE III.—*Department of Mindanao and Sulu and its provinces.*

SEC. 39. Territory included in Department of Mindanao and Sulu.

SEC. 40. Situs of provinces of Department of Mindanao and Sulu.

ARTICLE I.—*Grand divisions.*

SEC. 37. *Grand divisions of Philippine Islands.*—The Philippine Islands comprise the thirty-seven provinces named in the next succeeding paragraph hereof, the seven provinces of the Department of Mindanao and Sulu, and the territory of the city of Manila.

The provinces, other than the provinces of the Department of Mindanao and Sulu, are these: Abra, Albay, Ambos Camarines, Antique, Bataan, Batanes, Batangas, Bohol, Bulacan, Cagayan Capiz, Cavite, Cebu, Ilocos Norte, Ilocos Sur, Iloilo, Isabela, Laguna, La Union, Leyte, Mindoro, Misamis, Mountain Province, Neuva Ecija, Neuva Vizcaya, Occidental Negros, Oriental Negros, Palawan, Pampanga, Pangasinan, Rizal, Samar, Sorsogon, Surigao, Tarlac, Tayabas, and Zambales.

The provinces of the Department of Mindanao and Sulu are these: Agusan, Bukidnon, Cotabato, Davao, Lanao, Sulu, and Zamboanga.

The city of Manila comprises a separate jurisdiction and is not included within the territory of any province; but, in the absence of special provision, the term "province" may be construed to include the city of Manila for the purpose of giving effect to laws of general application.

Any small island of the Philippine Archipelago not hereinafter specifically assigned to a definite province shall belong to the province to which it is in closest proximity.

[2657—42.]

ARTICLE II.—*Situs and major subdivisions of provinces other than such as are contained in Department of Mindanao and Sulu.*

SEC. 38. *Situs of provinces and major subdivisions.*—The general location of the provinces other than such as are contained in the Department of Mindanao and Sulu, together with the subprovinces, municipalities, and townships respectively contained in them is as follows:

The Province of Abra consists of the territory in northern Luzon formerly comprised in the subprovince of Abra as constituted under Act Numbered Thirteen hundred and six.

It contains the municipalities of Bangued, Bucay, Dolores, La Paz, Pidigan, Pilar, and Tayum.

It also contains the townships of Danglas, Lagangiland, Lagayan, Langiden, Luba, Manabo, Peñarrubia, Sallapadan, San Quintin, Tubo, and Villaviclosa.

The Province of Albay, lying north of Sorsogon and south and east of Ambos Camarines, consists of territory on the Island of Luzon (with appurtenant small islands), including also the larger islands of San Miguel, Cacraray, Batan, Rapu-Rapu, and the subprovince of Catanduanes, on the island of the same name. The province contains the following municipalities:

Albay (the capital of the province), Bacacay, Barás, Bató, Calolbon, Camalig, Guinobatan, Jovellar, Libog, Libon, Ligao, Malilipot, Malinao, Manito, Oas, Pandan, Polangui, Rapu-Rapu, Tabaco, Tiwi, Viga, and Virac.

The Province of Ambos Camarines, lying north and west of Albay and southeast of Tayabas, consists of territory on Luzon and adjacent islands, and comprises the following municipalities:

Baa, Basud, Bato, Buhi, Bula, Cabusao, Calabanga, Camaligan, Canaman, Capalonga, Caramoan, Daet, Gainza, Goa, Indan, Iriga, Labo, Lagonoy, Libmanan, Lupi, Magarao, Mambulao, Milaor, Minalabac, Nabua, Naga (the capital of the province), Pamplona, Paracale, Pasacao, Pili, Ragay, Sagnay, San Fernando, San Jose, San Vicente, Sipocot, Siruma, Talisay, Tigaon, and Tinambac.

The Province of Antique, lying west of Capiz and Iloilo, consists of territory on the Island of Panay and adjacent islands and comprises the following municipalities:

Barbasa, Bugasong, Caluya, Culasi, Dao, Laua-an, Pandan, Patnongan, San Jose de Buenavista (the capital of the province), San Remigio, Sibalom, Tibiao, and Valderrama.

The Province of Bataan, lying south of Zambales and southwest of Pampanga, comprises the cape or promontory which separates Manila Bay from the China Sea. It contains the following municipalities:

Abucay, Bagac, Bagumbayan, Balanga (the capital of the province), Limay, Mariveles, Moron, Orani, Orion, Pilar, and Samal.

The Province of Batanes comprises all islands of the Philippine Archipelago situated north of the Balingtang Channel, and contains the following townships:

Basco (the capital of the province), Itbayat, Ivana, Mahatao, Sabtang, and Uyugan.

The Province of Batangas, lying south of Cavite and Laguna, and west of Tayabas, consists of territory on the Island of Luzon and adjacent islands, and comprises the following municipalities:

Alitagtag, Balayan, Batangas (the capital of the province), Bauan, Bolbok, Calaca, Calatagan, Cuenca, Ibaan, Lemery, Lian, Lipa, Lobo, Nasugbu, Rosario, San Jose, Santo Tomas, Taal, Talisay, Tanauan, and Tuy.

The Province of Bohol consists of the Island of Bohol and adjacent islands, and comprises the following municipalities:

Alburquerque, Anda, Antequera, Baclayon, Balilihan, Batuan, Bilar, Calape, Candijay, Carmen, Corella, Cortes, Dauis, Dimiao, Duero, Garcia Hernandez, Guindulman, Inabanga, Jagna, Jetafe, Lila, Loay, Loboc, Loon, Mabini, Mabujoc, Panglao, Sevilla, Sierra Bullones, Tagbilaran (the capital of the province), Talibon, Tubigon, Ubay, and Valencia.

The Province of Bulacan, lying on the northeastern side of Manila Bay, consists of territory in central Luzon, and comprises the following municipalities:

Angat, Baluag, Bigaa, Bocage, Bulacan, Bustos, Calumpit, Guiguinto, Hagonoy, Malolos (the capital of the province), Marilao, Meycauayan, Norzagaray, Obando, Paombon, Polo, Pulilan, Quingua, San Ildefonso, San Miguel, San Rafael, and Santa Maria.

The Province of Cagayan consists of territory in the extreme northeastern part of Luzon, together with the small islands appertaining thereto and the islands of the Babuyan Group to the north. The province contains the following municipalities:

Abulug, Alcala, Amulung, Aparri, Baggao, Ballesteros, Buguey, Camalaniugan, Claveria, Enrile, Faire, Gattaran, Iguig, Lal-lo, Pamplona, Penablanca, Piat, Rizal, Sanchez, Mira, Solana, Tuao, and Tuguegarao (the capital of the province).

The Province of Capiz consists of territory in the northern part of the Island of Panay, with adjacent small islands, and also of the subprovince of Romblon, which embraces the Islands of Romblon, Tablas, Sibulan, Banton, Simara, and Carabao, with adjacent small islands. The province contains the following municipalities:

Badajoz, Banga, Buruanga, Cajidlocan, Calivo, Capiz (the capital of the province), Dao, Dumalag, Dumaraao, Ibajay, Iuisan, Jamaindan, Lezo, Libacao, Loo, Makato, Malinao, Mambusao, Nabas, New Washington, Odiongan, Panay, Panitan, Pilar, Pontevedra, Romblon, San Fernando, Sapián, Sigma, and Tapas.

The Province of Cavite consists of territory on the Island of Luzon lying on the south side of Manila Bay, including also Corregidor Island. It contains the following municipalities:

Alfonso, Amadeo, Bacoor, Bailen, Camona, Cavite (the capital of the province), Dasmariñas, Imus, Indang, Kawit, Magallanes, Malabon, Maragondon, Mendez-Núñez, Naic, Noveleta, Rosario, Silang, Tanza, and Ternate.

The Province of Cebu consists of the Island of Cebu and neighboring islands, including the Camotes Islands. It comprises the following municipalities:

Alcantara, Alcoy, Alegria, Aloguinsan, Argao, Asturias, Badian, Balamban, Bantayan, Barili, Bogo, Boljo-on, Borbon, Carcar, Carmen, Catmon, Cebu (the capital of the province), Cordova, Daanbantayan, Dalaguete, Danao, Dumanjug, Ginatilan, Liloan, Madridejos, Malabuyoc, Mandaue, Medellin, Minglanilla, Moaboa, Naga, Opon, Oslob, Pilar, Pinamungajan, Poro, Ronda, Samboan, San Fernando, San Francisco, San Remigio, Santa Fe, Sibonga, Tabogon, Talisay, Toledo, Tuburan, and Tudela.

The Province of Ilocos Norte consists of territory in the extreme north-western part of the Island of Luzon and comprises the following municipalities:

Bacarra, Badoc, Bangui, Banna, Batac, Burgos, Dingras, Laoag (the capital of the province), Paoay, Pasuquin, Piddig, San Nicolas, Sarrat, Solsona, and Vintar.

This province also contains the township of Nueva Era.

The Province of Ilocos Sur, lying south of Ilocos Norte, consists of territory in the Island of Luzon known as Ilocos Sur. It comprises the following municipalities:

Bantay, Burgos, Cabugao, Candon, Caoayan, Lapog, Magsingal, Narvacan, San Esteban, Santa, Santa Catalina, Santa Cruz, Santa Lucia, Santa Maria, Santiago, Santo Domingo, San Vicente, Sinait, and Vigan (the capital of the province).

This province also contains the following townships: Banayoyo, Bauguen, Galimuyod, Lidlidda, and Nagbukel.

The Province of Iloilo consists of territory on the southeastern part of the Island of Panay and includes the Island of Guimaras and other adjacent islands. It comprises the following municipalities:

Ajuy, Arevalo, Balasan, Banate, Barotac Nuevo, Buenavista, Cabatuan, Dingle, Dueñas, Dumangas, Guinibal, Iloilo (the capital of the province), Janiuay, Jaro, Lambunao, Leon, Miagao, Oton, Passi, Pototan, San Joaquin, San Miguel, Santa Barbara, Sara, and Tigbauan.

The Province of Isabela, lying south of Cagayan, consists of territory in northeastern Luzon and comprises the following municipalities:

Angadan, Cabagan, Cuayan, Echagüe, Gamu, Ilagan (the capital of the province), Naguillian, Palanan, Reina Mercedes, San Pablo, Santa Maria, Santiago, and Tumauini.

This province also contains the township of San Mariano.

The Province of Laguna, lying on the south of Laguna de Bay, in Luzon, comprises the following municipalities:

Alaminos, Bay, Binalan, Cabuyao, Calamba, Calauan, Cavinti, Famy, Lilio, Longos, Los Baños, Luisiana, Lumban, Mabitac, Magdalena, Majayjay, Nagcarlan, Paete, Pagsanjan, Pangil, Pila, San Pablo, San Pedro, Santa Cruz (the capital of the province), Santa Maria Santa Rosa, and Sinaloa.

The Province of La Union, lying northeast of Lingayen Gulf, on the Island of Luzon, comprises the following municipalities:

Agoo, Aringay, Bacnotan, Balaoan, Bangar, Bauang, Caba, Luna, Naguillian, Rosario, San Fernando (the capital of the province), San Juan, Santo Tomas, and Tubao.

The Province of Leyte consists of territory on the Island of Leyte and adjacent islands, and contains the following municipalities:

Abuyog, Alangalang, Babatngon, Barugo, Bato, Baybay, Biliran, Burauen, Cabalian, Caibiran, Carigara, Dagami, Dulag, Hilongos, Hindang, Hinunangan, Hinundayan, Inopacan, Jaro, Kawayan, Leyte, Libagoa, Liloana, Maasin, Mabrohon, Malitbog, Mripipi, Matalom, Merida, Naval, Ormoc, Palo, Palompon, Pastrana, Pintuyan, San Isidro, San Miguel, Sogod, Tacloban (the capital of the province), Tanauan, Tolosa, and Villaba.

The Province of Mindoro consists of the Island of Mindoro, the Island of Lubang, the Island of Maestre de Campo, and all other islands adjacent to any of them, not included in the territory of some other province. It contains the following townships:

Abra de Ilog, Bulalacao, Calapan (the capital of the province), Concepción, Looc, Lubang, Mamburao, Naujan, Paluan, Pinamalayan, Pola, Sablayan, and San Jose.

The Province of Misamis consists of territory in the northern part of the Island of Mindanao, including the Island of Camiguin and adjacent small islands. It contains the following municipalities:

Aloran, Baliangao, Balingasag, Cagayan (the capital of the province), Catarman, Gingog, Initao, Jimenez, Mambajao, Misamis, Oroquieta, Plaridel, Sagay, Tagoloan, and Talisayan.

The Mountain Province consists of territory in the central part of northern Luzon and comprises the subprovinces of Amburayan, Apayao, Benguet, Bontoc, Ifugao, Kalinga, and Lepanto.

The subprovince of Amburayan contains the municipality of Tagudin and the townships of Alilem, Bakun, San Gabriel, Santol, Sigay, Sudipen, Sugpon, and Suyo.

The subprovince of Benguet contains the city of Baguio and the townships of Atok, Bagulin, Bokod, Buguias, Disdis, Itogon, Kabayan, Sudipen, Kibungan, La Trinidad, Pugo, Tuba, and Tublay.

The subprovince of Bontoc contains the townships of Bontoc (the capital of the province), and Sagada.

The subprovince of Lepanto contains the townships of Ampusungan, Angaki, Banaao, Bauko, Besao, Cervantes, Concepcion, Kayan, Mankayan, Sabangan, and San Emilio.

The Province of Nueva Ecija consists of territory in north-central Luzon, and comprises the following municipalities:

Aliaga, Bongabon, Cabanatuan (the capital of the province), Cabiao, Carranglan, Cuyapo, Gapan, Guimba, Jaen, Laur, Licab, Lupao, Muñoz, Nampicuan, Pantabangan, Peñaranda, Quezon, Rizal, San Antonio, San Isidro, San Jose, San Leonardo, Santa Rosa, Santo Domingo, Talavera, and Zaragoza.

The Province of Nueva Vizcaya, lying southeast of the Mountain Province and southwest of Isabela, consists of territory in north-central Luzon and comprises the following townships:

Bagabag, Bambang, Bayombong (the capital of the province), Dupax, Imugan, Kayapa, Santa Cruz, and Solano.

The Province of Occidental Negros consists of territory in the northern and western part of the Island of Negros, including adjacent small islands. It comprises the following municipalities:

Bacolod (the capital of the province), Bago, Binalbagan, Cadiz, Cauayan, Escalante, Himamaylan, Hinigaran, Ilog, Isabela, Kabankalan, La Carlota, Manapla, Murcia, Pontevedra, Pulupandan, Sagay, San Carlos, Saravia, Silay, Talisay, Valladolid, and Victoria.

The Province of Oriental Negros consists of territory in the southern and eastern part of the Island of Negros, with adjacent small islands, and includes also the subprovince of Siquijor, which consists of the island of the same name. The province contains the following municipalities:

Ayuquitan, Bacong, Bais, Dauin, Dumaguete (the capital of the province). Gihulfigan, Jimalalud, Larena, Lazi, Luzuriaga, Manjuyod, Maria, San Juan, Siaton, Sibulan, Siquijor, Tanjay, Tayasan, Tolong, Vallehermoso, and Zamboanguita.

The Province of Palawan consists of the Island of Palawan, the islands of Dumaran and Balabac, the Calamian Islands, the Cuyo Islands, the Cagayanes Islands, and all other islands adjacent to any of them, not included in some other province. It contains the townships of Cagayancillo, Coron, Cuyo, Puerto Princesa (the capital of the province), and Taytay.

The Province of Pampanga, lying to the north of Manila Bay, consists of territory in the Island of Luzon, and contains the following municipalities:

Angeles, Apalit, Arayat, Bacolor, Candaba, Floridablanca, Guagua, Lubao, Mabalacat, Macabebe, Magalan, Masantol, Mexico, Minalin, Porac, San Fernando (the capital of the province), San Luis, San Simon, Santa Ana, Santa Rita, and Sexmoan.

The Province of Pangasinan, lying to the south of Lingayen Gulf, on the Island of Luzon, comprises the following municipalities:

Agno, Aguilar, Alaminos, Alava, Alcala, Anda, Asingan, Balincaguin, Balungao, Bani, Bautista, Bayambang, Binalonan, Binmaley, Bolinao, Burgos, Calasiao, Dagupan, Dasol, Infanta, Labrador, Lingayen (the capital of the province), Malasiqui, Manaoag, Mangaldan, Mangatarem, Mapandan, Natividad, Pozorrubio, Rosales, Salasa, San Carlos, San Fabian, San Jacinto, San Manuel, San Nicolas, San Quintin, Santa Barbara, Santa Maria, Santo Tomas, Sual, Tayug, Umingan, Urbiztondo, Urdaneta, and Villasis.

This province also contains the township of Artacho.

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The Province of Rizal, lying east of Manila Bay and north of Laguna de Bay, consists of territory in central Luzon and comprises the following municipalities:

Antipolo, Binangonan, Cainta, Caloocan, Cardona, Jalajala, Las Piñas, Makati, Malabon, Marikina, Montalban, Morón, Navotas, Paraaque, Pasay, Pasig (the capital of the province), Pateros, Pililla, San Felipe Neri, San Juan del Monte, San Mateo, Tagig, Tanay, and Taytay.

The Province of Samar consists of territory on the Island of Samar and adjacent islands, and comprises the following municipalities:

Allen, Almagro, Balangiga, Basey, Bobon, Borongan, Calbayog, Calbiga, Capul, Catarman, Catbalogan (the capital of the province), Catubig, Dolores, Gandara, Guiuan, Hernani, Laoang, Lavezares, Llorente, Mondragon, Oquendo, Oras, Palapag, Pambujan, Salcedo, San Antonio, San Julian, Santa Margarita, Santa Rita, Santo Niño, Sulat, Taft, Tarangnan, Tinambacan, Villareal, Wright, and Zumarraga.

The Province of Sorsogon consists of territory at the southeastern extremity of Luzon, including appurtenant small islands, and of the subprovince of Masbate, which embraces the islands of Masbate, Ticao, Burias, and all the small adjacent islands. The province contains the following municipalities:

Aroroy, Bacon, Barcelona, Bulan, Bulusan, Casiguran, Castilla, Cataingan, Dimasalang, Donsol, Gubat, Irosin, Juban, Magallanes, Masbate, Matnog, Milagros, Pilar, Prieto Diaz, San Fernando, San Jacinto, San Pascual, Santa Magdalena, and Sorsogon (the capital of the province).

The Province of Surigao consists of territory in the northeastern part of the Island of Mindanao, including the islands of Dinagat, Siargao, and Bucas Grande, with appurtenant small islands. It contains the following municipalities:

Cantilan, Dapa, Dinagat, Gigaquit, Hinatuan, Lianga, Placer, Surigao (the capital of the province), and Tandag.

The Province of Tarlac consists of territory in north-central Luzon and contains the following municipalities:

Anao, Bamban, Camiling, Capas, Concepcion, Gerona, La Paz, Mayantoc, Moncada, Paniqui, Pura, San Clemente, San Manuel, Santa Ignacia, Tarlac (the capital of the province), and Victoria.

The Province of Tayabas consists of territory in the eastern part of the Island of Luzon, to the north and west of the Ambos Camarines Peninsula. It includes the subprovince of Marinduque, which embraces the Island of Marinduque and the small islands immediately adjacent thereto. It also comprises the Island of Polillo, the Island of Jomalig, and other islands forming a part of the same group.

The province contains the following municipalities: Alabat, Atimonan, Baler, Boac, Calauag, Candelaria, Casiguran, Catanauan, Dolores, Gasan, Guinayangan, Gumaca, Infanta, Laguimanoc, Lopez, Lucban, Lucena (the capital of the province), Macalelon, Mauban, Mogpog, Mulanay, Pagbilao, Pitogo, Polillo, Quezon, Sampaloc, San Narciso, Santa Cruz, Sariaya, Tayabas, Tiaong, Torrijos, and Unisan.

The Province of Zambales consists of territory on the China Sea in the west-central portion of Luzon and comprises the following municipalities:

Botolan, Cabangan, Candelaria, Castillejos, Iba (the capital of the province), Masinloc, Palauig, San Antonio, San Felipe, San Marcelino, San Narciso, Santa Cruz, and Subic.

[2657—43.]

ARTICLE III.—*Department of Mindanao and Sulu and its provinces.*

SEC. 39. *Territory included in Department of Mindanao and Sulu.*—The Department of Mindanao and Sulu consists of the entire Island of Mindanao, excluding only the Provinces of Misamis and Surigao, together with the Sulu Archipelago, and including the islands known as the Jolo Group, the Tawi Tawi Group, and all other islands pertaining to the Philippine Archipelago south of the eighth parallel of north latitude, excepting therefrom the Island of Balabac, and the immediately adjacent islands, but including the Island of Cagayan Sulu with adjacent islands.

[2657—44.]

SEC. 40. *Situs of provinces of Department of Mindanao and Sulu.*—The general location of the provinces of the Department of Mindanao and Sulu and the principal subdivisions contained in them is as follows:

The Province of Agusan consists of territory in the northern part of the Island of Mindanao, west of Surigao. It contains the municipalities of Butuan, Cabadbaran, and Talacogon.

The Province of Bukidnon consists of territory in the northern part of the Island of Mindanao between the Province of Agusan, to the east, and the Provinces of Misamis and Lanao to the west, with Cotabato to the south.

The Province of Cotabato lies east and south of the Province of Lanao, south of the Province of Bukidnon and west of the Province of Davao. It contains the municipalities of Cotabato and Parang.

The Province of Davao consists of territory in the southeastern corner of the Island of Mindanao, with appurtenant islands, including the Sarangani Islands. Its territory is indented by the waters of the Gulf of Davao.

This province contains the municipalities of Baganga, Caraga, Cateel, Davao, Manay, Mati, and Santa Cruz.

The Province of Lanao lies east of the Province of Zamboanga and west of Bukidnon, being washed on the southwest by the waters of Illana Bay. It contains the municipalities of Dansalan, Iligan, and Malabang.

The Province of Sulu includes all the islands of the Department of Mindanao and Sulu situated in the Celebes Sea and in the Sulu Sea between the fourth and eighth parallels of north latitude lying southwest of a line running northwest and southeast and passing at a point two miles due east of the northeast extremity of Tatalan Island. It contains the municipality of Jolo.

The Province of Zamboanga is located upon the western part of the Island of Mindanao and includes all the territory west of the boundary between Lanao and Zamboanga, with the adjacent islands not included within the Province of Sulu. It contains the municipalities of Dapitan, Dipolog, Isabela, Lubungan, and Zamboanga.

[2657—45.]

APPENDIX VIII.

[From Administrative Code, 1917.]

Chapter 5.—EXECUTIVE DEPARTMENTS.

- SEC. 74. Departmental organization.
- SEC. 75. Executive Departments.
- SEC. 76. Secretaries of Departments.
- SEC. 77. Appointment of Secretaries.
- SEC. 78. Qualifications of Secretaries.
- SEC. 79. Under secretaries.
- SEC. 80. Appearance in either House.
- SEC. 81. Bureaus and offices under Department of the Interior.
- SEC. 82. Bureaus and offices under Department of Public Instruction.
- SEC. 83. Bureaus and offices under Department of Finance.
- SEC. 84. Bureaus and offices under Department of Justice.
- SEC. 85. Bureaus and offices under Department of Agriculture and Natural Resources.
- SEC. 86. Bureaus and offices under Department of Commerce and Communications.
- SEC. 87. Assignment of offices.
- SEC. 88. Department Head for legislative employees.
- SEC. 89. Department head for Supreme Court.
- SEC. 90. Submission of estimates for appropriation bill.
- SEC. 91. Reports of Secretaries of Departments.

SEC. 74. *Departmental organization* (as amended by Act No. 2803).—All executive functions of the Philippine Government shall be directly under the Executive Department, subject to the supervision and control of the Governor-General in matters of general policy. The Departments are established for the proper distribution of the work of the Executive, for the performance of the functions expressly assigned to them by law, and in order that each branch of the administration may have a chief responsible for its direction and policy. Each Department Secretary shall assume the burden and responsibility of all activities of the Government under his control and supervision.

For administrative purposes the Governor-General shall be considered the Department Head of the Bureau of Audits, the Bureau of Civil Service, and of all other offices and branches of the service not assigned by law to any Department.

[2657—100; 2666—1; Act of Congress of August 29, 1916, section 22.]

SEC. 75. *Executive Departments*.—There shall be six Executive Departments, to wit, the Department of the Interior, the Department of Public Instruction, the Department of Finance, the Department of Justice, the Department of Agriculture and Natural Resources, and the Department of Commerce and Communications, which shall be under the direct control of the respective Secretaries of Departments, exercising their functions subject to the general supervision and control of the Governor-General.

[2666—1.]

SEC. 76. *Secretaries of Departments*.—The Department of the Interior shall perform its functions under the executive authority of the Secretary of the Interior. The Department of Public Instruction shall perform its functions under the executive authority of the Secretary of Public Instruction. The Department of Finance shall perform its functions under the executive authority of the Secretary of Finance. The Department of Justice shall perform its functions under the executive authority of the Secretary of Justice. The Department of Agriculture and Natural Resources shall perform its functions under the executive authority of the Secretary of Agriculture and Natural Resources; and the Department of Commerce and Communications shall perform its functions under the executive authority of the Secretary of Commerce and Communications.

[2666—1.]

SEC. 77. *Appointment of Secretaries*.—The position of Secretary of Public Instruction is held by the Vice-Governor. The other Secretaries of Department shall be appointed by the Governor-General, at the beginning of each Legisla-

ture, and shall hold office, unless sooner removed, until their successors shall have been appointed and qualified.

[2666—1.]

SEC. 78. Qualifications of Secretaries.—With the exception of the Secretary of Public Instruction, all Secretaries shall have the following qualifications: Be a citizen of the Philippine Islands and have resided in the Islands continuously during the three years next preceding his appointment and be not less than thirty years of age.

[2666—1.]

SEC. 79. Under Secretaries (as amended by Act No. 2803).—There shall be in each Department one or more Under Secretaries, as the appropriation acts may provide, who shall perform such duties as may be assigned to them by the Secretary of the Department and such as may be imposed upon them by law.

When a Department Secretary is unable to perform his duties owing to illness, absence, or other cause, or in case of a vacancy in the office, the respective Under Secretary, or the Under Secretary designated, as the case may be, shall temporarily perform the functions of said office.

In case neither the Secretary nor the Under Secretaries of a Department are able to perform their duties, owing to illness, absence, or any other cause, the Governor-General may temporarily designate a Secretary or Under Secretary of another Department to perform such duties temporarily during the absence of the former.

SEC. 79 (A). Initiative of the Department Head.—Executive orders, regulations, decrees, and proclamations relative to matters under the supervision or jurisdiction of a Department, the promulgation whereof is expressly assigned by law to the Governor-General, shall, as a general rule, be issued upon proposition and recommendation by the respective Department.

SEC. 79 (B). Power to regulate.—The Department Head shall have power to promulgate, whenever he may see fit to do so, all rules, regulations, orders, circulars, memorandums, and other instructions, not contrary to law, necessary to regulate the proper working and harmonious and efficient administration of each and all of the offices and dependencies of his Department, and for the strict enforcement and proper execution of the laws relative to matters under the jurisdiction of said Department; but none of said rules or orders shall prescribe penalties for the violation thereof, except as expressly authorized by law. All rules, regulations, orders, or instructions of a general and permanent character promulgated in conformity with this section shall be numbered by each Department consecutively each year, and shall be duly published.

Chiefs of Bureaus or offices may, however, be authorized to promulgate circulars of information or instructions for the government of the officers and employees in the interior administration of the business of each Bureau or office, and in such case said circulars shall not be required to be published.

SEC. 79 (C). Power of direction and supervision.—The Department Head shall have direct control, direction, and supervision over all Bureaus and offices under his jurisdiction and may, any provision of existing law to the contrary notwithstanding, repeal or modify the decisions of the chiefs of said Bureaus or offices when advisable in the public interest.

SEC. 79 (D). Power to appoint and remove.—The Department Head, upon the recommendation of the chief of the Bureau or office concerned, shall appoint all subordinate officers and employees whose appointment is not expressly vested by law in the Governor-General, and may remove or punish them, except as especially provided otherwise, in accordance with the Civil Service Law. Laborers receiving compensation at the rate of seven hundred and twenty pesos or less per annum, and other employees receiving compensation at the rate of two hundred and forty pesos or less per annum, shall be appointed and removed by the chief of the Bureau or office, subject only to the general control of the Department Head.

The Department Head also may, from time to time, in the interest of the service, change the distribution among the several Bureaus and offices of his Department of the employees or subordinates authorized by law.

SEC. 79 (E). Leave of Secretaries and Under Secretaries.—The right of a Department Head to leave on account of illness or for any other cause shall not be restricted, provided his absence is not incompatible with the interests of

the service, and the vacation and other leave of the Under Secretaries shall be regulated, in the discretion of the Department Head, either by the existing provisions governing the leaves of judges of Courts of First Instance, or otherwise.

SEC. 79 (F). *Conveyances and contracts to which the Government is a party.*—In cases in which the Government of the Phillipine Islands is a party to any deed or other instrument conveying the title to real estate or to any other property the value of which is in excess of one hundred thousand pesos, the respective Department Secretary shall prepare the necessary papers which, together with the proper recommendations, shall be submitted to the Philippine Legislature, for approval by the same. Such deed, instrument or contract shall be executed and signed by the Governor-General on behalf of the Government of the Phillipine Islands, unless the authority therefor be expressly vested by law in another officer.

SEC. 3. All Acts or parts of Acts, executive orders or decrees inconsistent herewith are hereby repealed.

SEC. 4. This Act shall take effect on its approval.

Approved, February 28, 1919.

SEC. 80. *Appearance in either House.*—The Secretaries may be called, and shall be entitled to be heard, by either of the two Houses of the Legislature, for the purpose of reporting on matters pertaining to their Departments, unless the public interest shall require otherwise and the Governor-General shall so state in writing.

[2666—2.]

SEC. 81. *Bureaus and offices under Department of the Interior.*—The Department of the Interior shall have executive supervision over the Bureau of Non-Christian Tribes, the Philippine General Hospital, the Board of Pharmaceutical Examiners, the Board of Medical Examiners, the Board of Dental Examiners, the Board of Optical Examiners, the Executive Bureau, the Phillipine Constabulary, the Board of Dental Hygiene, and the Orphanage.

[2666—3.]

SEC. 82. *Bureaus and offices under Department of Public Instruction.*—The Department of Public Instruction shall have the executive supervision over the Bureau of Education, the Philippine Health Service, and the Bureau of Quarantine Service.

[2666—4.]

SEC. 83. *Bureaus and offices under Department of Finance.*—The Department of Finance shall have executive supervision over the Bureau of Customs, the Bureau of Internal Revenue, the Bureau of the Treasury, and the Bureau of Printing. It shall also have the general supervision over banks, banking transactions, coinage, currency, and except as otherwise specially provided over all funds the investments of which may be authorized by law.

[2666—5.]

SEC. 84. *Bureaus and offices under Department of Justice.*—The Department of Justice shall have executive supervision over the Bureau of Justice, Courts of First Instance and Inferior Courts, the Philippine Library and Museum, the Bureau of Prisons, the Code Committee, and the Public Utility Commission.

[2666—6.]

SEC. 85. *Bureaus and Offices under Department of Agriculture and Natural Resources.*—The Department of Agriculture and Natural Resources shall have executive supervision over the Bureau of Agriculture, the Bureau of Forestry, the Bureau of Lands, matters pertaining to colonies and plantations on public lands, the Bureau of Science, the Weather Bureau, and matters concerning hunting, fisheries, sponges and other sea products.

[2666—7.]

SEC. 86. *Bureaus and Offices under Department of Commerce and Communications.*—The Department of Commerce and Communications shall have the executive supervision over the Bureau of Public Works, the Bureau of Posts, the Bureau of Supply, the Bureau of Labor, and the Bureau of Coast and Geodetic Survey.

[2666—8.]

Sec. 87. Assignment of offices.—The various Departments, Bureaus, Offices, and branches of the Insular service shall, for the purpose of conducting their work, have such quarters and offices as may be respectively assigned them by the Director of Public Works, with the approval of the Governor-General, or as may otherwise be by law especially determined.

[2657—102.]

Sec. 88. Department Head for legislative employees.—The President of the Senate shall be deemed to be the Department Head of the permanent force of employees of the Senate and of the Senate committees acting during recesses. The Speaker shall have the same relation to employees of the House of Representatives and its committees.

[2657—103.]

Sec. 89. Department head for Supreme Court.—The function of Department Head for the Supreme Court and its subordinates shall be exercised by its Chief Justice, or, in case of his death, absence, or disability, by the Associate Justice on duty who holds the senior commission.

[2657—104.]

Sec. 90. Submission of Estimates for Appropriation Bill.—The head of each department shall prepare and submit to the Governor-General, at least ten days before each regular session of the Philippine Legislature, an estimate of the necessary expenditures for such department during the next fiscal year, on the basis of the data contained in the reports and estimates submitted by the chiefs of Bureaus and Offices under him.

Sec. 91. Reports of Secretaries of Departments.—The several Secretaries of Departments shall submit annual reports to the Governor-General not later than the end of February of each year for the preceding fiscal year, unless the Governor-General shall otherwise direct. Such reports shall be printed in English and Spanish and shall be distributed in such manner as the Governor-General shall prescribe.

[2657—105.]

RELATIONS BETWEEN DEPARTMENTS—CABINET MEETINGS.

OFFICE OF THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS.

EXECUTIVE ORDER }
No. 63.

MANILA, August 3, 1917.

For the purpose of determining the relations that should obtain between the various branches of the Executive as a result of the recent reorganization of the Insular Government, the following instructions are hereby published for the information and guidance of all concerned:

1. The executive power is vested in the Governor-General and the Secretaries of Departments. The Governor-General, by the terms of the Philippine Organic Act, is the supreme executive authority and has general supervision and control of all of the Departments and Bureaus of the Government; the Departments exist for the proper distribution of the work of the Executive, the performance of such functions as may be specifically conferred upon them by law, and in order that there may be a head of each branch of the administration responsible for the conduct and policy thereof. The several Department Secretaries are therefore expected to assume the burden and responsibility for all Government activities under their control and supervision.

2. Executive orders, regulations, decrees and proclamations relating to matters under the supervision or control of a Department the promulgation whereof is expressly conferred by law upon the Governor-General will, as a general rule, be issued upon the recommendation of the corresponding secretary of department.

3. The present practice of the Secretaries of Departments of constituting themselves into a Cabinet of the Governor-General is hereby confirmed, approved and continued. The Cabinet shall hold regular meetings weekly and such special meetings as may be called by the Governor-General. All controversies between two or more Departments and all matters involving the determination of a general policy, even when they come under the jurisdiction of a single Department, shall be discussed in the Cabinet.

4. The Bureaus and Offices in each Department are units or agencies of government constituting a correlated organization with the Department Secre-

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tary as its responsible head. All dealings with and between Bureaus and Offices shall therefore be conducted by the proper Secretary of Department unless otherwise authorized.

5. The Secretary of each Department shall from time to time promulgate such rules, regulations, orders or instructions not inconsistent with law as may be necessary for the proper government of his department, to secure the harmonious and efficient administration of the Bureaus and Offices under his control and supervision, and to carry into full effect the laws relating to matters within his jurisdiction. Rules, regulations, orders or instructions of a general and permanent character and application promulgated in pursuance hereof shall be issued in the form of Department orders consecutively numbered for each year and duly published.

6. The chiefs of Bureaus and Offices shall continue to exercise their own judgment and discretion in the disposition of all matters arising within their jurisdiction, subject to the direction and control of their Department Head, who may, except as otherwise specifically provided by law, reverse or modify their decisions.

7. Papers requiring action by the Bureaus of Audits and Civil Service shall be forwarded to the Secretary concerned through the Insular Auditor and the Director of Civil Service, respectively. All proposed appointments by chiefs of Bureaus and Offices in the Philippine civil service, whether original, by promotion, reduction, transfer or reinstatement shall be transmitted to the Director of Civil Service who shall forward them to the Governor-General or proper Head of Department for approval, in case he finds them allowable under the Civil Service Law and Rules. Commissions of unclassified officers of the various departments shall be signed by the Governor-General and countersigned by the corresponding Secretary of Department. So much of section one of Civil Service Rule X as is inconsistent with the provisions of this section, is hereby revoked.

FRANCIS BURTON HARRISON,
Governor-General.

COUNCIL OF STATE.

OFFICE OF THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS.

MANILA, October 16, 1918.

EXECUTIVE ORDER }
No. 37. }

A Council of State is hereby created to aid and advise the Governor-General on matters of public importance, said Council to consist of such persons as may be from time to time appointed and summoned by the Governor-General. There shall be a president and vice-president of the Council, the president *ex officio* being the Governor-General and the vice-president such member of the Council as may be elected by the Council.

FRANCIS BURTON HARRISON,
Governor-General.

APPENDIX IX.

SALARIES.

FOURTH PHILIPPINE LEGISLATURE, }
First Session. } H. No. 236.

[No. 2668.]

An Act Fixing the salaries of certain officers and employees of the government of the Philippine Islands.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The salaries of the officers and employees of the Philippine Government mentioned in this Act shall hereafter be as follows:

(a) The President of the Senate, twelve thousand pesos per annum. Each Senator, except the President, shall receive compensation at the rate of four thousand pesos per annum, which may be drawn during the corresponding regular session of the Legislature. The Secretary of the Senate, three thousand pesos for each regular session of the Legislature: *Provided, however,* That in case the Senate shall direct him to render service outside of such session, it may grant him additional compensation.

(b) The Speaker of the House of Representatives, twelve thousand pesos per annum. Each Representative, except the Speaker, shall receive compensation at the rate of three thousand pesos per annum, which may be drawn during the corresponding regular session of the Legislature. The Secretary of the House of Representatives, three thousand pesos for each regular session of the Legislature: *Provided, however,* That in case the House of Representatives shall direct him to render service outside of such session, it may grant him additional compensation.

(c) Each Department Secretary, except the Secretary of Public Instruction, twelve thousand pesos per annum. Each Department Undersecretary, seven thousand five hundred pesos per annum.

(d) The Secretary of the Governor-General, who shall hereafter be known as the Private Secretary for the Governor-General, seven thousand five hundred pesos per annum.

(e) The Director of Civil Service, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(f) The Director of the Bureau of Non-Christian Tribes, six thousand pesos per annum.

(g) The Chief of the Executive Bureau, seven thousand two hundred pesos per annum. The Assistant Chief, six thousand pesos per annum.

(h) The Chief of the Philippine Constabulary, seven thousand two hundred pesos per annum. Each colonel, six thousand pesos per annum. Each lieutenant-colonel, four thousand eight hundred pesos per annum. Each major, three thousand six hundred pesos per annum. Each captain, three thousand pesos per annum. Each first lieutenant, two thousand four hundred pesos per annum. Each second lieutenant, two thousand pesos per annum. Each third lieutenant, eighteen hundred pesos per annum.

(i) The Director of Education, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(j) The Director of Health, seven thousand two hundred pesos per annum. Each chief of division, six thousand pesos per annum. The salaries of the other surgeons in the Health Service shall be as follows: Each chief medical inspector, not chief of a division, not more than four thousand pesos per annum. Each medical inspector, not more than three thousand pesos per annum. Each senior surgeon, not more than two thousand four hundred pesos per annum. And each surgeon, not more than one thousand eight hundred pesos per annum.

(k) The Insular Collector of Customs, seven thousand two hundred pesos per annum. The Insular Deputy Collector of Customs, six thousand pesos

per annum. The collector of customs of Iloilo, six thousand pesos per annum. The collector of customs of Cebu, six thousand pesos per annum. The collector of customs of Zamboanga, five thousand pesos per annum. The collector of customs of Jolo, five thousand pesos per annum.

(l) The Collector of Internal Revenue, seven thousand two hundred pesos per annum. The Deputy Collector of Internal Revenue, six thousand pesos per annum.

(m) The Treasurer of the Philippine Islands, seven thousand two hundred pesos per annum. The Assistant Treasurer of the Philippine Islands, six thousand pesos per annum.

(n) The Director of Printing, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(o) The Solicitor-General, seven thousand two hundred pesos per annum.

(p) Each judge of a Court of First Instance, except the judges of the First, Second, Eighth, Tenth, Sixteenth, Eighteenth, and Twenty-fourth Districts, and the auxiliary judges, eight thousand pesos per annum. The judges of the First, Second, Eighth, Tenth, Sixteenth, Eighteenth, and Twenty-fourth Districts, and the auxiliary judges, seven thousand pesos per annum each. The clerk of the Supreme Court, five thousand pesos per annum.

(q) The Director of the Library and Museum, six thousand pesos per annum. The Assistant Director, four thousand eight hundred pesos per annum.

(r) The Director of Prisons, five thousand pesos per annum, with quarters and laundry. The Assistant Director, four thousand pesos per annum, with quarters and laundry.

(s) The Director of Agriculture, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(t) The Director of Forestry, six thousand pesos per annum.

(u) The Director of Lands, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(v) The Director of the Bureau of Science, six thousand pesos per annum.

(w) The Director of the Weather Bureau, five thousand pesos per annum.

(y) The Director of Public Works, seven thousand two hundred pesos per annum. The chief constructing engineer, six thousand pesos per annum. The chief designing engineer, six thousand pesos per annum. The consulting architect, six thousand pesos per annum.

(z) The Director of Posts, seven thousand two hundred pesos per annum. The Assistant Director, six thousand pesos per annum.

(aa) The Purchasing Agent, seven thousand two hundred pesos per annum. The Assistant Purchasing Agent, six thousand pesos per annum.

(bb) The Director of Labor, five thousand pesos per annum. The Assistant Director, four thousand pesos per annum.

(cc) The Director of Coast Survey, ten pesos per diem.

SEC. 2. Officers and employees whose salaries are reduced hereunder and who, having taken advantage of the benefits of Act Numbered Twenty-five hundred and eighty-nine, entitled "An Act providing for a gratuity by reason of retirement to officers and employees of the Philippine Government who have rendered satisfactory service during six continuous years or more, and for other purposes," have obtained or may hereafter obtain a favorable action upon their application, shall be retired with the salary received by them on December thirty-first, nineteen hundred and sixteen, and the vacancies left by them shall be filled in accordance with the provisions of this Act.

SEC. 3. The provisions of this Act shall not be construed to prohibit the Governor-General or the Secretary of the Department concerned from contracting, for a limited period, for the services of such technical personnel as may be actually and strictly necessary, at salaries which may exceed those authorized in this Act for chiefs of bureaus and which shall have been previously specifically fixed by the appropriation acts.

SEC. 4. The first two paragraphs of section seven hundred and seventy-five, the entire section seven hundred and seventy-six, and the first paragraph of section one thousand and sixty-one of the Administrative Code, and all Acts or parts of Acts inconsistent with this Act, are hereby repealed.

SEC. 5. This Act shall take effect on January first, nineteen hundred and seventeen; but the provisions relative to the members of the two Houses of the Legislature and to the Department Secretaries and Undersecretaries shall take effect beginning with the day of their election or appointment, as the case may be: *Provided, however, That* save in the case of vacancies, the Department Secretaries, acting jointly, are hereby authorized to postpone until a date not

later than December thirty-first, nineteen hundred and eighteen, any provision of this Act affecting any position or employment in the bureaus and offices under their authority and control, provided such action is really required by the interest of the service; and in such case said Department Secretaries, acting jointly, shall take the necessary steps for the purpose of effecting a gradual and slow reduction of the salaries, distributing the difference between the present salaries and the salaries fixed by this Act over one or more items, as said Secretaries shall deem most advisable.

Approved, December 14, 1916.

122422-20-11

APPENDIX X.

SENATORIAL DISTRICTS.

The Administrative Code of 1917, Act No. 2711 of the Philippine Legislature, approved March 10, 1917, provides for the following Senatorial Districts:

SEC. 112. *Senatorial districts.*—The twelve senatorial districts into which the Philippine Islands are divided are these:

- First district: Abra, Batanes, Cagayan, Isabella, Ilocos Norte, and Ilocos Sur.
- Second district: La Union, Pangasinan, and Zambales.
- Third district: Tarlac, Nueva Ecija, Pampanga, and Bulacan.
- Fourth district: Bataan, Rizal, Manila, and Laguna.
- Fifth district: Batangas, Mindoro, Tayabas, and Cavite.
- Sixth district: Sorsogon, Albay, and Ambos Camarines.
- Seventh district: Iloilo and Capiz.
- Eighth district: Negros Occidental, Negros Oriental, Antique, and Palawan.
- Ninth district: Leyte and Samar.
- Tenth district: Cebu.
- Eleventh district: Surigao, Misamis, and Bohol.
- Twelfth district: The Mountain Province, Baguio, Nueva Vizcaya, and the Department of Mindanao and Sulu.

APPENDIX XI.

REPRESENTATIVE DISTRICTS.¹

The Administrative Code of 1917, Act. No. 2711 of the Philippine Legislature, approved March 10, 1917, provides as follows:

SEC. 116. *Membership of House.*—The House of Representatives has ninety members, consisting of one Representative from each province or representative district hereinafter specified, and apportioned as follows:

Abra, one; Albay, three; Ambos Camarines, three; Antique, one; Bataan, one; Batanes, one; Batangas, three; Bohol, three; Bulacan, two; Cagayan, two; Capiz, three; Cavite, one; Cebu, seven; Ilocos Norte, two; Ilocos Sur, two; Iloilo, five; Isabela, one; Laguna, two; La Union, two; Leyte, four; Manila, two; Mindoro, one; Misamis, two; the Mountain Province, three; Nueva Ecija, one; Nueva Vizcaya, one; Occidental Negros, three; Oriental Negros, two; Palawan, one; Pampanga, two; Pangasinan, five; Rizal, two; Samar, three; Sorsogon, two; Surigao, one; Tarlac, two; Tayabas, two; Zambales, one; and the Department of Mindanao and Sulu, five.

[2657—136.]

SEC. 117. *Limitation upon number of members.*—The total number of members in the House of Representatives shall at no time exceed one hundred.

[2657—137.]

[From Administrative Code, 1917.]

ARTICLE II.—*Representative districts.*

SEC. 123. *Representative districts in certain provinces.*—The provinces entitled to elect more than one Representative are divided into representative districts as follows, each of which districts shall elect one Representative, thus constituting the full complement of the representation of such province:

Albay: First district—Composed of the municipalities of Bacacay, Libog, Malilipot, Malinao, Tabaco, and Tiwi. Second district—Composed of the municipalities of Albay, Baras, Bat6, Calolbon, Manito, Pandan, Rapu-Rapu, Viga, and Virac. Third district—Composed of the municipalities of Camalig, Guinobatan, Jovellar, Libon, Ligao, Oas, and Polangui.

Ambos Camarines: First district—Composed of the municipalities of Basud, Cabusao, Capalonga, Daet, Gainza, Indan, Labo, Libmanan, Lupi, Mambulao, Milaor, Minalabac, Pamplona, Paracale, Pasacao, Ragay, San Fernando, San Vicente, Sipocot, and Talisay. Second district—Composed of the municipalities of Baa6, Bato, Bula, Calabanga, Camaligan, Canaman, Iriga, Magarao, Nabua, Naga, and Pili. Third district—Composed of the municipalities of Buhl, Caramoan, Goa, Lagonoy, Sagnay, San José, Siruma, Tigaon, and Tinambac.

Batangas: First district—Composed of the municipalities of Balayan, Calaca, Calatagan, Lemery, Lian, Nasugbu, Taal, Talisay, Tanauan, and Tuy. Second district—Composed of the municipalities of Alitagtag, Batangas, Bauan, Cuenca, and Ibaan. Third district—Composed of the municipalities of Bolbok, Lipa, Lob6, Rosario, San José, and Santo Tomas.

Bohol: First district—Composed of the municipalities of Antequera, Baclayon, Calape, Corella, Cortés, Daus, Loon, Maribojoc, Panglao, and Tagbilaran. Second district—Composed of the municipalities of Albuquerque, Balilihan, Batuan, Bilar, Cármén, Dimino, Inabanga, Lila, Loay, Loboc, Sevilla, and Tubigon. Third district—Composed of the municipalities of Anda, Candijay, Duero, García Hernandez, Guindulman, Jagna, Jetafe, Mabini, Sierra Bullones, Talibon, Ubay, and Valencia.

¹ See page 39.

Bulacan: First district—Composed of the municipalities of Bigaa, Bocaue, Bulacan, Calumpit, Guiguinto, Hagonoy, Malolos, Paombong, Pulilan, and Quingua. Second district—Composed of the municipalities of Angat, Baliuag, Bustos, Marilao, Meycauayan, Norzagaray, Obando, Polo, San Ildefonso, San Miguel, San Rafael, and Santa Maria.

Cagayan: First district—Composed of the municipalities of Alcalá, Amulung, Aparrí, Baggao, Ballesteros, Buguey, Camalaniugan, Gattaran, Iguig, Lal-lo, Peñablanca, and Tuguegarao. Second district—Composed of the municipalities of Abulug, Claverfa, Enrile, Faire, Pamplona, Piat, Rizal, Sanchez Mira Solana, and Tuao.

Capiz: First district—Composed of the municipalities of Capiz, Dao, Dumarao, Iulsan, Panay, Panitan, Pilar, Pontevedra, and Sigma. Second district—Composed of the municipalities of Banga, Calivo, Dumalag, Jamindan, Lezo, Libacao, Mambusao, New Washington, Sapián, and Tapas. Third district—Composed of the municipalities of Badajoz, Buruanga, Cajidiocan, Ibajay, Looc, Makato, Malinao, Nabas, Odiongan, Romblon, and San Fernando.

Cebu: First district—Composed of the municipalities of Bogo, Borbon, Carmen, Catmon, Danao, Pilar, Poro, San Francisco, Tabogon, and Tudela. Second district—Composed of the municipalities of Cebu, Cordova, Liloan, Mandaua, and Opon. Third district—Composed of the municipalities of Carcar, Minglanilla, Naga, San Fernando, and Talisay. Fourth district—Composed of the municipalities of Alcoy, Argao, Dalaguete, and Sibonga. Fifth district—Composed of the municipalities of Alcantara, Alegria, Badian, Boljo-on, Ginalitan, Malabuyoc, Moalboal, Oslob, and Samboan. Sixth district—Composed of the municipalities of Aloguinsan, Barili, Dumanjug, Pinamungajan, Ronda, and Toledo. Seventh district—Composed of the municipalities of Asturias, Balamban, Bantayan, Daanbantayan, Madridejos, Medellin, San Remigio, Santa Fe, and Tuburan.

Ilocos Norte: First district—Composed of the municipalities of Bacarra, Bangui, Burgos, Laoag, Pasuquin, Piddig, Sarrat, and Vintar. Second district—Composed of the municipalities of Badoc, Banná, Batac, Dingras, Paoay, San Nicolas, and Solsona.

Ilocos Sur: First district—Composed of the municipalities of Bantay, Cabugao, Caaayan, Lapog, Magsingal, Santa Catalina, Santo Domingo, San Vicente, Sinait, and Vigan. Second district—Composed of the municipalities of Burgos, Candon, Narvacan, San Esteban, Santa, Santa Cruz, Santa Lucia, Santa Maria, and Santiago.

Iloilo: First district—Composed of the municipalities of Guimbal, Miagao, Oton, San Joaquin, and Tigbauan. Second district—Composed of the municipalities of Arevalo, Buenavista, Iloilo, and Jaro. Third district—Composed of the municipalities of Cabatuan, Leon, San Miguel, and Santa Barbara. Fourth district—Composed of the municipalities of Barotac Nueve, Dumangas, Dingle, Janiuay, Lambunao, and Pototan. Fifth district—Composed of the municipalities of Ajuy, Balasan, Banate, Dueñas, Passi, and Sara.

Laguna: First district—Composed of the municipalities of Alaminos, Bay, Biñan, Cabuyao, Calamba, Calauan, Los Baños, Pila, San Pablo, San Pedro, and Santa Rosa. Second district—Composed of the municipalities of Cavinti, Famý, Lilio, Longos, Luisiana, Lumban, Mabitac, Magdalena, Majayjay, Nagcarian, Paete, Pagsanjan, Pangil, Santa Cruz, Santa Maria, and Siniloan.

La Union: First district—Composed of the municipalities of Bacnotan, Balaoan, Bangar, Luna, San Fernando, and San Juan. Second district—Composed of the municipalities of Agoo, Aringay, Bauang, Caba, Naguillian, Rorario, Santo Tomas, and Tubao.

Leyte: First district—Composed of the municipalities of Baybay, Biliran, Caibiran, Kawayan, Leyte, Maripipi, Merida, Naval, Ormoc, Palompon, San Isidro, and Villaba. Second district—Composed of the municipalities of Bató, Cabalian, Hilongos, Hindang, Inopacan, Libagon, Liloan, Maasin, Macrohon, Malitbog, Matalom, Pintuyan, and Sogod. Third district—Composed of the municipalities of Abuyog, Barugo, Burauen, Carigara, Dagami, Hinunangan, Hinundayan, Jaro, and Pastrana. Fourth district—Composed of the municipalities of Alangalang, Babatngon, Dulag, Palo, San Miguel, Tacloban, Tanauan, and Tolosa.

Manila: First district—Composed of the districts of Binondo, Intramuros, San Nicolas, and Tondo. Second district—Composed of the districts of Ermita, Malate, Paco, Pandacan, Quiapo, Sampaloc, San Miguel, Santa Ana, and Santa Cruz.

Misamis: First district—Composed of the municipalities of Balingasag, Catarman, Gingoog, Mambajao, Sagay, Tagoloan, and Talisayan. Second district—Composed of the municipalities of Aloran, Baliangao, Cagayan, Initao, Jimenez, Misamis, Oroquieta, and Plaridel.

Occidental Negros: First district—Composed of the municipalities of Cadiz, Escalante, Manapla, Sagay, San Carlos, Saravia, Silay, and Victorias. Second district—Composed of the municipalities of Bacolod, Bago, La Carlota, Murcia, Pulupandan, Talisay, and Valladolid. Third district—Composed of the municipalities of Binalbagan, Cauayan, Himamaylan, Hinigaran, Ilog, Isabela, Kabankalan, and Pontevedra.

Oriental Negros: First district—Composed of the municipalities of Ayutian, Bais, Dumaguete, Gihuligan, Jimalalud, Manjuyod, Sibulan, Tanjay, Tayasan, and Vallehermoso. Second district—Composed of the municipalities of Bacon, Dauin, Larena, Lazi, Luzuriaga, Maria, San Juan, Siaton, Siquijor, Tolong, and Zamboanguita.

Pampagna: First district—Composed of the municipalities of Angeles Bacolor, Floridablanca, Guagua, Lubao, Macabebe, Masantol, Porac, Santa Rita, and Sexmoan. Second district—Composed of the municipalities of Apalit, Arayat, Candaba, Mabalacat, Magalan, Mexico, Minalin, San Fernando, San Luis, San Simon, and Santa Ana.

Pangasinan: First district—Composed of the municipalities of Agno, Aguilar, Alaminos, Anda, Balincagin, Bani, Bolinao, Burgos, Dasol, Infanta, Labrador, Lingayen, Salasa, and Sual. Second district—Composed of municipalities of Binmaley, Dagupan, Mangatarem, San Carlos, and Urbiztondo. Third district—Composed of the municipalities of Alava, Bayambang, Calasiao, Mala-siqui, Mangaldan, Mapandan, San Fabian, and Santa Barbara. Fourth district—Composed of the municipalities of Alcala, Baustista, Binalonan, Manaog, Pozorrubio, San Jacinto, Santo Tomas, Urdaneta, and Villasis. Fifth district—Composed of the municipalities of Asingan, Balungao, Natividad, Rosales, San Manuel, San Nicolas, San Quintin, Santa Maria, Tayug, and Umingan.

Rizal: First district—Composed of the municipalities of Caloocan, Las Piñas, Makati, Malabon, Navotas, Paraaque, Pasay, Pateros, San Felipe Neri, San Juan del Monte, and Tagig. Second district—Composed of the municipalities of Antipolo, Binangonan, Cainta, Cardona, Jalajala, Mariquina, Montalban, Morong, Pasig, Pilila, San Mateo, Tanay, and Taytay.

Samar: First district—Composed of the municipalities of Allen, Bobon, Calbayog, Capul, Catarman, Catubig, Laoang, Lavezares, Mondragon, Oquendo, Palapag, Pambujan, San Antonio, Santa Margarita, and Tinambacan. Second district—Composed of the municipalities of Almagro, Basey, Calbiga, Cata-balogan, Gandara, Santa Rita, Santo Nifio, Tarangnan, Villareal, Wright and Zumarraga. Third district—Composed of the municipalities of Balangiga, Borongan, Dolores, Guiuan, Hernani, Llorente, Oras, Salcedo, San Julian, Sulat, and Taft.

Sorsogon: First district—Composed of the municipalities of Bacon, Barcelona, Bulusan, Casiguran, Castilla, Gubat, Irosin, Juban, Matnog, Prieto Diaz, Santa Magdalena, and Sorsogon. Second district—Composed of the municipalities of Aroroy, Bulan, Cataingan, Dimasalang, Donsol, Magallanes, Masbate, Milagros, Pilar, San Fernando, San Jacinto, and San Pascual.

Tarlac: First district—Composed of the municipalities of Anao, Camiling, Gerona, Mayantoc, Moncada, Paniqui, Pura, San Clemente, San Manuel, and Santa Ignacia. Second district—Composed of the municipalities of Bamban, Capas, Concepción, La Paz, Tarlac, and Victoria.

Tayabas: First district—Composed of the municipalities of Atimonan, Baler, Candelaria, Casiguran, Dolores, Infanta, Laguimanoc, Lucban, Lucena, Mau-ban, Pagbilao, Polillo, Sampaloc, Sarlaya, Tayabas, and Tiaong. Second district—Composed of the municipalities of Alabat, Boac, Calauag, Catanauan, Gasan, Guinayangan, Gumaca, Lopez, Macalelon, Mogpog, Mulanay, Pitogo, Quezon, San Narciso, Santa Cruz, Torrijos, and Unisan.

[2657—144.]

SEC. 124. Representative districts in Mountain Province and Department of Mindanao and Sulu.—The territory to be comprised in the respective representative districts of the Mountain Province and Department of Mindanao and Sulu shall be determined by the Governor-General.

APPENDIX XII.

THE PUBLIC LAND ACT.

[H. No. 1194. H. Ct. R. No. 37.]

FOURTH PHILIPPINE LEGISLATURE, SPECIAL SESSION OF 1919.

Begun and held at the City of Manila on Saturday, the first day of March, one thousand nine hundred and nineteen.

[No. 2874.]

An Act To amend and compile the laws relative to lands of the public domain, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

TITLE I.—TITLE AND APPLICATION OF THE ACT, LANDS TO WHICH IT REFERS, AND CLASSIFICATION, DELIMITATION, AND SURVEY THEREOF FOR CONCESSION.

CHAPTER I.—Short title of the Act, lands to which it applies, and officers charged with its execution.

SECTION 1. The short title of this Act shall be "The Public Land Act."

SEC. 2. That provisions of this Act shall apply to the lands of the public domain; but timber and mineral lands shall be governed by special laws and nothing in this Act provided shall be understood or construed to change or modify the government and disposition of the lands commonly called "friar lands" and those which, being privately owned, have reverted to or become the property of the Philippine Government, which administration and disposition shall be governed by the laws at present in force or which may hereafter be enacted by the Legislature.

SEC. 3. While title to lands of the public domain remains in the Government, the Secretary of Agriculture and Natural Resources shall be the executive officer charged with carrying out the provisions of this Act, through the Director of Lands, who shall act under his immediate control.

SEC. 4. Subject to said control, the Director of Lands shall have direct executive control of the survey, classification, lease, sale, or any other form of concession or disposition and management of the lands of the public domain, and his decisions as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Natural Resources.

SEC. 5. The Director of Lands, with the approval of the Secretary of Agriculture and Natural Resources, shall prepare and issue such forms, instructions, rules, and regulations consistent with this Act, as may be necessary and proper to carry into effect the provisions thereof and for the conduct of proceedings arising under such provisions.

CHAPTER II.—Classification, delimitation, and survey of lands of the public domain, for the concession thereof.

SEC. 6. The Governor-General, upon the recommendation of the Secretary of Agriculture and Natural Resources, shall from time to time classify the lands of the public domain into—

- (a) Alienable or disposable,
- (b) Timber, and
- (c) Mineral lands,

and may at any time and in a like manner transfer such lands from one class to another, for the purposes of their government and disposition.

SEC. 7. For the purposes of the government and disposition of alienable or disposable public lands, the Governor-General, upon recommendation by the Secretary of Agriculture and Natural Resources, shall from time to time declare what lands are open to disposition or concession under this Act.

SEC. 8. Only those lands shall be declared open to disposition or concession which have been officially delimited and classified and, when practicable, surveyed, and which have not been reserved for public or quasi-public uses, nor appropriated by the Government, nor in any manner become private property, nor those on which a private right authorized and recognized by this Act or any other valid law may be claimed, or which, having been reserved or appropriated, have ceased to be so. However, the Governor-General may, for reasons of public interest, declare lands of the public domain open to disposition before the same have had their boundaries established or been surveyed, or may, for the same reasons, suspend their concession or disposition until they are again declared open to concession or disposition by proclamation duly published or by Act of the Legislature.

SEC. 9. For the purposes of their government and disposition, the lands of the public domain alienable or open to disposition shall be classified, according to the use or purposes to which such lands are destined, as follows:

- (a) Agricultural.
- (b) Commercial, industrial, or for similar productive purposes.
- (c) Educational, charitable, and other similar purposes.
- (d) Reservations for town sites, and for public and quasi-public uses.

The Governor-General, upon recommendation by the Secretary of Agriculture and Natural Resources, shall from time to time make the classifications provided for in this section, and may, at any time and in a similar manner, transfer lands from one class to another.

SEC. 10. The words "alienation," "disposition," or "concession" as used in this Act, shall mean any of the methods authorized by this Act for the acquisition, lease, use, or benefit of the lands of the public domain other than timber or mineral lands.

TITLE II.—AGRICULTURAL PUBLIC LANDS.

CHAPTER III.—*Forms of concession of agricultural lands.*

SEC. 11. Public lands suitable for agricultural purposes can be disposed of only as follows, and not otherwise:

- (1) For homestead settlement.
- (2) By sale.
- (3) By lease.
- (4) By confirmation of imperfect or incomplete titles:
 - (a) By administrative legalization (free patent).
 - (b) By judicial legalization.

CHAPTER IV.—*Homesteads.*

SEC. 12. Any citizen of the Philippine Islands or of the United States, over the age of eighteen years, or the head of a family, who does not own more than twenty-four hectares of land in said Islands or has not had the benefit of any gratuitous allotment of more than twenty-four hectares of land since the occupation of the Philippine Islands by the United States, may enter a homestead of not exceeding twenty-four hectares of agricultural land of the public domain.

SEC. 13. Upon the filing of an application for a homestead, the Director of Lands, if he finds that the application should be approved, shall do so and authorize the applicant to take possession of the land upon the payment of ten pesos, Philippine currency, as entry fee. Within six months from and after the date of the approval of the application, the applicant shall begin to work the homestead, otherwise he shall lose his prior right to the land.

SEC. 14. No certificate shall be given or patent issued for the land applied for until the land has been improved and cultivated. The period within which the land shall be cultivated shall not be less than two nor more than five years, from and after the date of the approval of the application. The applicant shall, within the said period, notify the Director of Lands as soon as he is ready

to acquire the title. If at the date of such notice or at any time within the two years next following the expiration of said period, the applicant shall prove to the satisfaction of the Director of Lands by affidavits of two credible witnesses, that he has resided in the municipality in which the land is located, or in a municipality adjacent to the same, and has cultivated the land continuously since the approval of the application, and shall make affidavit that no part of said land has been alienated or encumbered, and that he has complied with all the requirements of this Act, then, upon the payment of ten pesos, he shall be entitled to a patent.

SEC. 15. At the option of the applicant, payment of the fees required in this chapter may be made in annual installments. These payments may be made to the municipal treasurer of the locality, who, in turn, shall forward them to the provincial treasurer. In case of the delinquency of the applicant, the Director of Lands may, sixty days after such delinquency has occurred, either cancel the application or grant an extension of time not to exceed one hundred and twenty days for the payment of the sum due.

SEC. 16. If at any time before the expiration of the period allowed by law for the making of final proof, it shall be proved to the satisfaction of the Director of Lands, after due notice to the homesteader, that the land entered is not under the law subject to homestead entry, or that the homesteader has actually changed his residence, or voluntarily abandoned the land for more than six months at any one time during the years of residence and occupation herein required, or has otherwise failed to comply with the requirements of this act, the Director of Lands may cancel the entry.

SEC. 17. Before final proof shall be submitted by any person claiming to have complied with the provisions of this chapter, due notice, as prescribed by the Secretary of Agriculture and Natural Resources, shall be given to the public of his intention to make such proof, stating therein the name and address of the homesteader, the description of the land, with its boundaries and area, the names of the witnesses by whom it is expected that the necessary facts will be established, and the time and place at which, and the name of the officer before whom, such proof will be made.

SEC. 18. In case the homesteader shall suffer from mental alienation, or shall for any other reason be incapacitated for exercising his rights personally, the person legally representing him may offer and submit the final proof on behalf of such incapacitated person.

SEC. 19. Not more than one homestead shall be allowed to any person; but if a homesteader has made final proof as provided in this chapter and is occupying and cultivating all the land applied for and the area thereof is less than twenty-four hectares, he may apply for an additional homestead on an adjacent tract of land, provided the total area of both parcels does not exceed twenty-four hectares, and with the understanding that he shall with regard to the new tract or additional homestead comply with the same conditions as prescribed by this Act for an original homestead entry.

SEC. 20. The cancellation of a homestead entry not due to any fault of the applicant shall not be a bar to his applying for another homestead.

SEC. 21. If at any time after the approval of the application and before the patent is issued, the applicant shall prove to the satisfaction of the Director of Lands that he has complied with all the requirements of the law, but can not continue with his homestead, through no fault of his own, and there is a bona fide purchaser for the rights and improvements of the applicant on the land, and that the conveyance is not made for purposes of speculation, then the applicant, with the previous approval of the Secretary of Agriculture and Natural Resources, may transfer his rights to the land and improvements to any person legally qualified to apply for a homestead, and immediately after such transfer, the purchaser shall file a homestead application to the land so acquired and shall succeed the original homesteader in his rights and obligations beginning with the date of the approval of said application of the purchaser. Any person who has so transferred his rights may once again apply for a new homestead. Every transfer made without the previous approval of the Secretary of Agriculture and Natural Resources shall be null and void and shall result in the cancellation of the entry and the refusal of the patent.

SEC. 22. Any non-Christian native desiring to live upon or occupy land on any of the reservations set aside for the so-called "non-Christian tribes" without applying for a homestead, may request a permit of occupation for any tract of land of the public domain open to homestead entry under this Act, the area of which shall not exceed ten hectares. It shall be an essential condition that

the applicant for the permit cultivate and improve the land, and if such cultivation has not been begun within six months from and after the date on which the permit was granted, the permit shall *ipso facto* be canceled. The permit shall be for a term of five years. If at the expiration of this term or at any time theretofore, the holder of the permit shall apply for a homestead under the provisions of this chapter, including the portion for which a permit was granted to him, he shall have the priority, otherwise the land shall be again open to disposition at the expiration of the five years.

For each permit the sum of five pesos shall be paid, which may be done in annual installments.

CHAPTER V.—*Sale.*

SEC. 23. Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least sixty-one per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States or of any State thereof and authorized to transact business in the Philippine Islands, and corporate bodies organized in the Philippine Islands authorized under their charters to do so, may purchase any tract of public agricultural land disposable under this Act, not to exceed one hundred hectares in the case of an individual and one thousand and twenty-four hectares in that of a corporation or association, by proceeding as prescribed in this chapter: *Provided*, That partnerships shall be entitled to purchase not to exceed one hundred hectares for each member thereof, but the total area so purchased shall in no case exceed the one thousand and twenty-four hectares authorized in this section for associations and corporations: *Provided, further*, That citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire public land as to their own citizens, may, while such laws are in force, but not thereafter, with the express authorization of the Legislature, purchase any parcel of agricultural land, not in excess of one hundred hectares, available under this Act, upon complying with the requirements of this chapter.

SEC. 24. No person, corporation, association or partnership other than those mentioned in the last preceding section may acquire or own agricultural public land or land of any other denomination or classification, not used for industrial or residence purposes, that is at the time or was originally, really or presumptively, of the public domain, or any permanent improvement thereon, or any real right on such land and improvement: *Provided, however*, That persons, corporations, associations, or partnerships which, at the date upon which this Act shall take effect, hold agricultural public lands or land of any other denomination not used for industrial or residence purposes, that belonged originally, really or presumptively, to the public domain, or permanent improvements on such lands, or a real right upon such lands and improvements, having acquired the same under the laws and regulations in force at the date of such acquisition, shall be authorized to continue holding the same as if such persons, corporations, associations, or partnerships were qualified under the last preceding section; but they shall not encumber, convey, or alienate the same to persons, corporations, associations or partnerships not included in section twenty-three of this Act, except by reason of hereditary succession, duly legalized and acknowledged by competent courts.

SEC. 25. Lands sold under the provisions of this chapter must be appraised in accordance with section one hundred and fourteen of this Act. The Director of Lands shall announce the sale thereof by publishing the proper notice once a week for six consecutive weeks in the Official Gazette and in two newspapers, one published in Manila and the other published in the municipality or in the province where the land is located, or in a neighboring province, and the same notice shall be posted on the bulletin board of the Bureau of Lands in Manila, and in the most conspicuous place in the provincial building and the municipal building of the province and municipality where the land is located, and, if practicable, on the land itself. The notices shall be published one in English and the other in Spanish and shall fix a date not earlier than ten days after the date of the last publication of the notice in the Official Gazette, upon which the land will be awarded to the highest bidder, or public bids will be called for, or other action will be taken as provided in this chapter.

SEC. 26. All bids must be sealed and addressed to the Director of Lands and must have inclosed therewith cash or a certified check or post-office

money order payable to the order of the Director of Lands, for twenty-five per centum of the amount of the bid, which amount shall be retained in case the bid is accepted, as part payment of the purchase price: *Provided*, That no bid shall be considered the amount of which is less than the appraised value of the land.

SEC. 27. Upon the opening of the bids the land shall be awarded to the highest bidder. If there are two or more bidders which are higher than other bidders and are equal, and one of such higher and equal bids is the bid of the applicant, his bid shall be accepted. If, however, the bid of the applicant is not one of such equal and higher bids, the Director of Lands shall at once submit the land for public bidding, and to the person making the highest bid on such public auction the land shall be awarded. In any case the applicant, if any, shall always have the option of raising his bid to equal that of the highest bidder, and in this case the land shall be awarded to him. No bid received at such public auction shall be finally accepted until the bidder shall have deposited twenty-five per centum of his bid, as required in section twenty-six of this Act. In case none of the tracts of land that are offered for sale or the purchase of which has been applied for, has an area in excess of twenty-four hectares, the Director of Lands may delegate to the provincial treasurer concerned the power of receiving bids, holding the auction, and proceeding in accordance with the provisions of this Act, but the provincial treasurer, in his capacity as delegate of the Secretary of Agriculture and Natural Resources, shall submit his recommendations to the Director of Lands, for the final decision of the latter in the case.

SEC. 28. The purchase price shall be paid as follows: The balance of the purchase price after deducting the amount paid at the time of submitting the bid, may be paid in full upon the making of the award, or in five annual installments from the date of the award.

SEC. 29. After at least the second installment has been paid and after the cultivation of the land has been begun, the purchaser, with the approval of the Secretary of Agriculture and Natural Resources, may convey or encumber his rights to any person, corporation or association legally qualified under this Act to purchase agricultural public lands, provided such conveyance or encumbrance does not affect any right or interest of the Government in the land. Any sale and encumbrance made without the previous approval of the Secretary of Agriculture and Natural Resources shall be null and void and shall produce the effect of annulling the acquisition and reverting the property and all rights thereto to the Government, and all payments on the purchase price theretofore made to the Government shall be forfeited. After the sale has been approved, the vendor shall not lose his right to acquire agricultural public lands under the provisions of this Act, provided he has the necessary qualifications.

SEC. 30. Before any patent is issued, the purchaser must show actual occupancy, cultivation, and improvement of the land applied for until the date on which final payment is made.

SEC. 31. If at any time after the date of the award and before the issuance of patent, it is proved to the satisfaction of the Director of Lands, after due notice to the purchaser, that the purchaser has voluntarily abandoned the land for more than one year at any one time, or has otherwise failed to comply with the requirements of the law, then the land shall revert to the Government and all prior payments of purchase money shall be forfeited.

SEC. 32. No person, corporation, association, or partnership shall be permitted, after the approval of this Act, to acquire the title to or possess as owner any lands of the public domain if such lands, added to other land belonging to such person, corporation, association, or partnership shall give a total area greater than the area the acquisition of which by purchase is authorized under this Act. Any excess in area over this maximum and all right, title, interest, claim, or action held by any person, corporation, association, or partnership resulting directly or indirectly in such excess shall revert to the Government.

This section shall, however, not be construed to prohibit any person, corporation, association, or partnership authorized by this Act to acquire lands of the public domain from making loans upon real estate security and from purchasing real estate whenever necessary for the recovery of such loans; but in this case, as soon as the excess above referred to occurs, such person, corporation, association, or partnership shall dispose of such lands within five years, for

the purpose of removing the excess mentioned. Upon the land in excess of the limit there shall be paid, so long as the same is not disposed of, for the first year a surtax of fifty per centum additional to the ordinary tax to which such property shall be subject, and for each succeeding year fifty per centum shall be added to the last preceding annual tax rate, until the property shall have been disposed of.

The person, corporation, association, or partnership owning the land in excess of the limit established by this Act shall determine the portion of the land to be segregated.

At the request of the Secretary of Agriculture and Natural Resources, the Attorney-General or the officer acting in his stead shall institute the necessary proceedings in the proper court for the purpose of determining the excess portion to be segregated, as well as the disposal of such portion in the exclusive interest of the Government.

SEC. 33. This chapter shall be held to authorize only one purchase of the maximum amount of land hereunder by the same person, corporation, association, or partnership; and no person, corporation, association, or partnership, any member of which shall have received the benefits of this chapter or of any of the two last preceding chapters, either as an individual or as a member of any other corporation, association, or partnership, shall purchase any other lands of the public domain under this chapter.

But any purchaser of public land, after having made the last payment upon and cultivated the land purchased, if the same shall be less than the maximum allowed by this Act, may purchase additional agricultural public land adjacent to or not distant from the land first purchased, provided the total area of both tracts does not exceed the maximum established in this chapter, and that in making such additional purchase, the same conditions are complied with as prescribed by this Act for the first purchase.

CHAPTER VI.—*Lease.*

SEC. 34. Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least sixty-one per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States or of any State thereof and authorized to transact business in the Philippine Islands, may lease any tract of agricultural public land available for lease under the provisions of this Act, not exceeding a total of one thousand and twenty-four hectares: *Provided*, That citizens of countries the laws of which grant to citizens of the Philippine Islands the same rights to lease public land as to their own citizens, may, while such laws are in force, but not thereafter, with the express authorization of the Legislature, lease any parcel of agricultural land, not in excess of one thousand and twenty-four hectares, available for lease in accordance with this Act: *Provided, further*, That no lease shall be permitted to interfere with any prior claim by settlement or occupation, until the consent of the occupant or settler is first had, or until such claim shall be legally extinguished, and no person, corporation, or association shall be permitted to lease lands hereunder which are not reasonably necessary to carry on his business in case of an individual, or the business for which it was lawfully created and which it may lawfully pursue in the Philippine Islands, if an association or corporation.

Corporations and associations not having all and each of the requirements established in the preceding paragraph of this section may, with the express authorization of the Legislature, lease agricultural public lands available for lease the total area of which shall not exceed one thousand and twenty-four hectares.

SEC. 35. All applicants for leases under the terms of this chapter must give notice, by publication in the Official Gazette and such other means as may be required by the Secretary of Agriculture and Natural Resources, of intent to make application to lease the tract in question, which notice shall describe as definitely as practicable the land sought to be leased and shall state the date when the application will be presented.

SEC. 36. The annual rental of the land leased shall not be less than three per centum of the value of the land, according to the appraisal and reappraisal made in accordance with section one hundred and fourteen of this Act. Every contract of lease under the provisions of this chapter shall contain a clause to

the effect that a reappraisal of the land leased shall be made every ten years from the date of the approval of the contract, if the term of the same shall be in excess of ten years. In case the lessee is not agreeable to the reappraisal and prefers to give up his contract of lease, he shall notify the Director of Lands of his desire within the six months next preceding the date on which the reappraisal takes effect, and in case his request is approved, the Director of Lands may, if the lessee should so desire, proceed in accordance with section ninety-three of this Act.

The rent, which shall be paid yearly in advance, shall accrue from the date of the approval of the lease, and the first payment thereof shall be made in the Bureau of Lands on the date of the approval of the application.

SEC. 37. Leases shall run for a period of not more than twenty-five years, but may be renewed for another period of not to exceed twenty-five years. In case the lessee shall have made important improvements which, in the discretion of the Secretary of Agriculture and Natural Resources, justify a renewal of the lease, a further renewal for an additional period not to exceed twenty-five years may be granted. It shall be an inherent and essential condition of the lease that the lessee shall not assign, encumber, or sublet his rights without the consent of the Secretary of Agriculture and Natural Resources, and that the violation of this condition shall avoid the contract: *Provided*, That nothing contained in this section shall be understood or construed to permit the assignment, encumbrance, or subletting of lands leased under this Act or under the former Public Land Act, to persons, corporations, or associations which, under this Act, are not authorized to lease public lands, unless otherwise provided by general or special legislation by the Legislature.

SEC. 38. The lease of any lands under this chapter shall not confer the right to remove or dispose of any valuable timber except as provided in the regulations of the Bureau of Forestry for cutting timber upon such lands. Nor shall such lease confer the right to remove or dispose of stone, oil, coal, salts, or other minerals, or medicinal mineral waters existing upon the same. The lease as to the part of the land which shall be mineral may be cancelled by the Secretary of Agriculture and Natural Resources, after notice to the lessee, whenever the said part of the land is more valuable for mineral than for agricultural purposes.

The commission of waste or the violation of the forestry regulations by the lessee shall work a forfeiture of his last payment of rent and render him liable to immediate dispossession and suit for damage.

SEC. 39. The lessee of agricultural public land, after having made two or more payments of rent and improved the land leased, if the same is less than the maximum allowed by law, may lease additional agricultural public land adjacent to or near the land originally leased, provided the total area of both tracts does not exceed the maximum established in this chapter, and that in making such additional lease, the same conditions are complied with as prescribed by this Act for the first lease.

SEC. 40. During the life of the lease, any lessee who shall have complied with all the conditions thereof and shall have the qualifications required by section twenty-three, may purchase the land leased subject to the provisions and restrictions of chapter five (Sale) of this Act.

CHAPTER VII.—*Free patents.*

SEC. 41. Any native of the Philippine Islands who since July fourth, nineteen hundred and seven, or prior thereto, has continuously occupied and cultivated, either by himself or through his predecessors in interest, a tract of agricultural public land subject to disposition, shall be entitled, under the provisions of this chapter, to have a free patent issued to him for a tract of such land not to exceed twenty-four hectares.

SEC. 42. The Governor-General, upon recommendation by the Secretary of Agriculture and Natural Resources, shall from time to time fix by proclamation the period within which applications for free patents may be filed in the district, province, municipality, or region specified in such proclamation, and upon the expiration of the period so designated, unless the same be extended by the Governor-General, all the land comprised within such district, province, municipality, or region subject thereto under the provisions of this chapter may be disposed of as agricultural public land, without prejudice to the prior right of the occupant and cultivator to acquire such land under this Act by means other than free patent. The time to be fixed in the entire Archipelago for the filing of applications under this chapter shall not extend beyond December

ber thirty-first, nineteen hundred and twenty-eight. The period fixed for any district, province, or municipality shall begin to run thirty days after the publication of the proclamation in the Official Gazette. A certified copy of said proclamation shall be furnished to the Director of Lands and to the provincial board and the municipal board or council affected, and copies thereof shall be posted on the bulletin board of the Bureau of Lands at Manila and at conspicuous places in the provincial building and the municipal building. It shall, moreover, be announced by crier in each of the barrios of the municipality.

SEC. 43. If, after the filing of the application and the investigation, the Director of Lands shall be satisfied of the truth of the allegations contained in the application and that the applicant comes within the provisions of this chapter, he shall cause a patent to issue to the applicant or his legal successor for the tract so occupied and cultivated, provided its area does not exceed twenty-four hectares: *Provided*, That no application shall be finally acted upon until notice thereof has been published in the municipality and barrio in which the land is located and adverse claimants have had an opportunity to present their claims.

CHAPTER VIII.—*Judicial confirmation of imperfect or incomplete titles.*

SEC. 44. The persons specified in the next following section are hereby granted time, not to extend beyond December thirty-first, nineteen hundred and twenty-eight, within which to take advantage of the benefits of this chapter: *Provided*, That the several periods of time designated by the Governor-General in accordance with section forty-two of this Act shall apply also to the lands comprised in the provisions of this chapter; but this section shall not be construed in the sense of prohibiting any of said persons from acting under this chapter at any time prior to the period fixed by the Governor-General.

SEC. 45. The following-described citizens of the Philippine Islands and the United States, occupying lands of the public domain or claiming to own any such lands or an interest therein, but whose titles have not been perfected or completed, may apply to the Court of First Instance of the province where the land is located for confirmation of their claims and the issuance of a certificate of title therefor, under the Land Registration Act, to wit:

(a) Those who prior to the transfer of sovereignty from Spain to the United States have applied for the purchase, composition or other form of grant of lands of the public domain under the laws and royal decrees then in force and have instituted and prosecuted the proceedings in connection therewith, but have, with or without default upon their part, or for any other cause, not received title therefor, if such applicants or grantees and their heirs have occupied and cultivated said lands continuously since the filing of their applications.

(b) Those who by themselves or through their predecessors in interest have been in the open, continuous, exclusive, and notorious possession and occupation of agricultural lands of the public domain, under a bona fide claim of acquisition of ownership, except as against the Government, since July twenty-sixth, eighteen hundred and ninety-four, except when prevented by war or *force majeure*. These shall be conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under the provisions of this chapter.

SEC. 46. No person claiming title to lands of the public domain not in possession of the qualifications specified in the last preceding section may apply for the benefits of this chapter.

SEC. 47. Any person or persons, or their legal representatives or successors in right, claiming any lands or interest in lands under the provisions of this chapter, must in every case present an application to the proper Court of First Instance, praying that the validity of the alleged title or claim be inquired into and that a certificate of title issue to them under the provisions of the Land Registration Act.

The application shall conform as nearly as may be in its material allegations to the requirements of an application for registration under the Land Registration Act, and shall be accompanied by a plan of the land and all documents evidencing a right on the part of the applicant to the land claimed. The application shall also state the citizenship of the applicant and shall set forth fully the nature of the claim, and when based upon proceedings initiated under Spanish laws, it shall specify as exactly as possible the date and form of the application for purchase, composition or other form of grant, the extent of the

compliance with the conditions required by the Spanish laws and royal decrees for the acquisition of legal title, and if not fully complied with, the reason for such noncompliance, together with a statement of the length of time such land or any portion thereof has been actually occupied by the claimant or his predecessors in interest; the use made of the land, and the nature of the inclosure, if any.

The fees provided to be paid for the registration of lands under the Land Registration Act shall be collected from applicants under this chapter.

SEC. 48. Applications for registration under this chapter shall be heard in the Court of First Instance in the same manner and shall be subject to the same procedure as established in the Land Registration Act for other applications, except that a notice of all such applications, together with a plan of the lands claimed, shall be immediately forwarded to the Director of Lands, who may appear as a party in such cases: *Provided*, That prior to the publication for hearing, all of the papers in said case shall be transmitted by the clerk to the Attorney-General or officer acting in his stead, in order that he may, if he deems it advisable for the interests of the Government, investigate all of the facts alleged in the application or otherwise brought to his attention. The Attorney-General shall return such papers to the clerk as soon as practicable within three months.

The final decree of the court shall in every case be the basis for the original certificate of title in favor of the person entitled to the property under the procedure prescribed in section forty-one of the Land Registration Act.

SEC. 49. In cadastral proceedings, instead of an application an answer or claim may be filed with the same effect as in the procedure provided in the last preceding two sections.

SEC. 50. It shall be lawful for the Director of Lands, whenever in the opinion of the Governor-General the public interests shall require it, to cause to be filed in the proper Court of First Instance, through the Attorney-General or the officer acting in his stead, a petition against the holder, claimant, possessor, or occupant of any land who shall not have voluntarily come in under the provisions of this chapter or of the Land Registration Act, stating in substance that the title of such holder, claimant, possessor, or occupant is open to discussion; or that the boundaries of any such land which has not been brought into court as aforesaid are open to question; or that it is advisable that the title to such lands be settled and adjudicated, and praying that the title to any such land or the boundaries thereof or the right to occupancy thereof be settled and adjudicated. The judicial proceedings under this section shall be in accordance with the laws on adjudication of title in cadastral proceedings.

SEC. 51. If in the hearing of any application arising under this chapter the court shall find that more than one person or claimant has an interest in the land, such conflicting interests shall be adjudicated by the court and decree awarded in favor of the person or persons entitled to the land according to the laws, but if none of said persons is entitled to the land, or if the person who might be entitled to the same lacks the qualifications required by this act for acquiring agricultural land of the public domain, the decision shall be in favor of the Government.

SEC. 52. Whenever, in any proceedings under this chapter to secure registration of an incomplete or imperfect claim of title initiated prior to the transfer of sovereignty from Spain to the United States, it shall appear that had such claims been prosecuted to completion under the laws prevailing when instituted, and under the conditions of the grant then contemplated, the conveyance of such land to the applicant would not have been gratuitous, but would have involved payment therefor to the Government, then and in that event the court shall, after decreeing in whom title should vest, further determine the amount to be paid as a condition for the registration of the land. Such judgment shall be certified to the Director of Lands by the clerk of the court for collection of the amount due from the person entitled to conveyance.

Upon payment to the Director of Lands of the price specified in the judgment, he shall so certify to the proper Court of First Instance and said court shall forthwith order the registration of the land in favor of the competent person entitled thereto. If said person shall fail to pay the amount of money required by the decree within a reasonable time fixed in the same, the court shall order the proceeding to stand dismissed and the title to the land shall then be in the Government free from any claim of the applicant.

SEC. 53. Whenever any judgment of confirmation or other decree of the court under this chapter shall become final, the clerk of the court concerned shall

certify that fact to the Director of Lands, with a certified copy of the decree of confirmation or judgment of the court and the plan and technical description of the land involved in the decree or judgment of the court.

SEC. 54. No title to, or right or equity in, any lands of the public domain may hereafter be acquired by prescription or by adverse possession or occupancy, or under or by virtue of any law in effect prior to American occupation, except as expressly provided by laws enacted after said occupation of the Philippine Islands by the United States.

TITLE III.—LANDS FOR COMMERCIAL OF INDUSTRIAL PURPOSES AND OTHER SIMILAR PRODUCTIVE PURPOSES.

CHAPTER IX.—Classification and concession of public lands suitable for commerce and industry.

SEC. 55. Any tract of land of the public domain which, being neither timber nor mineral land, shall be classified as suitable for residential purposes or for commercial, industrial, or other productive purposes other than agricultural purposes, and shall be open to disposition or concession, shall be disposed of under the provisions of this chapter, and not otherwise.

SEC. 56. The lands disposable under this title shall be classified as follows:

(a) Lands reclaimed by the Government by dredging, filling, or other means;

(b) Foreshore;

(c) Marshy lands or lands covered with water bordering upon the shores or banks of navigable lakes or rivers;

(d) Lands not included in any of the foregoing classes.

SEC. 57. Any tract of land comprised under this title may be leased or sold, as the case may be, to any person, corporation, or association authorized to purchase or lease public lands for agricultural purposes. The area of the land so leased or sold shall be such as shall, in the judgment of the Secretary of Agriculture and Natural Resources, be reasonably necessary for the purposes for which such sale or lease is requested, and shall in no case exceed ten hectares: *Provided, however*, That this limitation shall not apply to grants, donations, or transfers made to a province, municipality or branch or subdivision of the Government for the purposes deemed by said entities conducive to the public interest; but the land so granted, donated, or transferred to a province, municipality, or branch or subdivision of the Government shall not be alienated, encumbered, or otherwise disposed of in a manner affecting its title, except when authorized by the Legislature: *Provided, further*, That any person, corporation, association, or partnership disqualified from purchasing public land for agricultural purposes under the provisions of this Act. may purchase or lease land included under this title suitable for industrial or residence purposes, but the title or lease granted shall only be valid while such land is used for the purposes referred to.

SEC. 58. The lands comprised in classes (a), (b), and (c) of section fifty-six shall be disposed of to private parties by lease only and not otherwise, as soon as the Governor-General, upon recommendation by the Secretary of Agriculture and Natural Resources, shall declare that the same are not necessary for the public service and are open to disposition under this chapter. The lands included in class (d) may be disposed of by sale or lease under the provisions of this Act.

SEC. 59. The lands reclaimed by the Government by dredging, filling, or otherwise shall be surveyed and may, with the approval of the Secretary of Agriculture and Natural Resources, be divided by the Director of Lands into lots and blocks, with the necessary streets and alleyways between them, and the Secretary of Agriculture and Natural Resources shall give notice to the public, by publication in the Official Gazette or by other means, that the lots or blocks not needed for public purposes shall be leased for commercial or industrial or other similar purposes.

SEC. 60. If, upon receipt of applications for the lease or purchase of any of the lands covered by this chapter, the Secretary of Agriculture and Natural Resources shall decide that the lots or blocks so applied for are suited to the purposes for which they are requested and are not needed for public purposes, he shall give notice by public advertisement that such applications have been made and that the Government will lease or sell, as the case may be, the lots or blocks specified in the advertisement, for the purpose for which they have been applied for and subject to the conditions specified in this chapter.

SEC. 61. The leases executed under this chapter by the Secretary of Agriculture and Natural Resources shall, among other conditions, contain the following:

(a) The rental shall not be less than three per centum of the appraised and reappraised value of the lands and improvements, except in the case of foreshore, marshes, and lands covered with water, in which the rental shall not be less than one per centum of the appraised or reappraised value of the improvements.

(b) The land rented, or the improvements thereon, as the case may be, shall be reappraised every ten years if the term of the lease is in excess of that period.

(c) The term of the lease shall be as prescribed by section thirty-seven of this Act.

(d) The lessee shall construct permanent improvements appropriate for the purpose for which the lease is applied for and shall commence the construction thereof within six months from the date of the execution of the contract.

(e) At the expiration of the lease or of any extension of the same, all improvements made by the lessee, his heirs, executors, administrators, successors, or assigns shall become the property of the Government.

(f) The regulation of all rates and fees charged to the public, and the annual submission to the Government for approval of all tariffs of such rates and fees.

(g) The continuance of the easements of the coast police and other easements reserved by existing law or by any laws hereafter enacted by the Legislature.

(h) Subjection to all easements and other rights acquired by the owners of lands bordering upon the foreshore or marshy land.

The violation of one or any of the conditions specified in the contract shall give rise to the rescission of said contract. The Secretary of Agriculture and Natural Resources may, however, upon recommendation by the Secretary of Commerce and Communications, and subject to such conditions as he may prescribe, waive the rescission arising from a violation of the conditions of subsection (d), or extend the time within which the construction of the improvements shall be commenced and completed.

SEC. 62. The sale of the lands comprised in class (d) of section fifty-six shall, among others, comprise the following conditions:

(a) The purchaser shall make improvements of a permanent character appropriate for the purpose for which the land is purchased, and shall commence work thereon within six months from the date of the purchase; otherwise the Secretary of Agriculture and Natural Resources may, upon recommendation by the Secretary of Commerce and Communications, rescind the contract.

(b) The purchase price shall be paid cash down.

The contract of sale may contain other conditions not inconsistent with the provisions of this Act.

SEC. 63. The kind of improvements to be made by the lessee or the purchaser, and the plans thereof, shall be approved by the Secretary of Commerce and Communications, in case they are constructions or improvements which, if made by the Government, will properly have to be executed under the supervision of the Bureau of Public Works.

SEC. 64. The lease or sale shall be adjudicated to the highest bidder; and if there is no bidder besides the applicant, it shall be adjudicated to him. The provisions of section twenty-seven of this Act shall be applied wherever applicable. If all or part of the lots remain unleased or unsold, the Director of Lands shall from time to time announce in the Official Gazette or otherwise the lease or sale of those lots, if necessary.

SEC. 65. The Secretary of Agriculture and Natural Resources may grant permission, upon payment of a reasonable charge, for the use of any portion of the foreshore or marshy lands for any lawful private purpose, subject to revocation by the Secretary of Agriculture and Natural Resources at any time when, in his judgement, the public interest shall require it.

TITLE IV.—LANDS FOR EDUCATIONAL, CHARITABLE, AND OTHER SIMILAR PURPOSES.

CHAPTER X.—*Concession of lands for educational, charitable, and other similar purposes.*

SEC. 66. Whenever any province, municipality, or other branch or subdivision of the Government shall need any portion of the lands of the public domain open to concession for educational, charitable, or other similar purposes, the

Governor-General, upon recommendation by the Secretary of Agriculture and Natural Resources, may execute contracts in favor of the same, in the form of donation, sale, lease, exchange, or any other form, under terms and conditions to be inserted in the contract; but land so granted shall in no case be encumbered or alienated, except when the public service requires their being leased or exchanged, with the approval of the Governor-General, for other lands belonging to private parties, or if the Legislature disposes otherwise.

67. Any tract of public land of the class covered by this title may be sold or leased for the purpose of founding a cemetery, church, college, school, university, or other institution for educational, charitable or philanthropical purposes or scientific research, the area, to be such as may actually and reasonably be necessary to carry out such purpose, but not to exceed ten hectares in any case. The sale or lease shall be made subject to the same conditions as required for the sale and lease of agricultural public land, but the Secretary of Agriculture and Natural Resources may waive the condition requiring cultivation. The Secretary of Agriculture and Natural Resources, if he sees fit, may order the sale to be made without public auction, at a price to be fixed by said Secretary, or the lease to be granted without auction, at a rental to be fixed by him. In either case it shall be a condition that the purchaser or lessee shall use the land for the purpose for which he has applied for it, and for no other purpose, and that the violation of this condition shall give rise to the immediate rescission of the sale or lease, as the case may be, and to the forfeiture to the Government of all existing improvements.

TITLE V.—RESERVATIONS.

CHAPTER XI.—*Town site reservations.*

SEC. 68. Whenever the Legislature shall consider it to be in the public interest to found a new town, the Secretary of Agriculture and Natural Resources shall direct the Director of Lands to have a survey made by his Bureau of the exterior boundaries of the site on which such town is to be established, and upon the completion of the survey he shall send the same to said Secretary, with his recommendations.

SEC. 69. The Secretary of Agriculture and Natural Resources, if he approves the recommendations of the Director of Lands, shall submit the matter to the Governor-General to the end that the latter issue a proclamation reserving the land surveyed, or such part thereof as he may deem proper, as a town site, and a certified copy of such proclamation shall be sent to the Director of Lands and another to the register of deeds of the province in which the surveyed land lies.

SEC. 70. It shall then be the duty of the Director of Lands, after having recorded the proclamation of the Governor-General and the survey accompanying the same, and having completed the legal proceedings prescribed in chapter thirteen of this Act, to direct a subdivision in accordance with the instructions of the Secretary of Agriculture and Natural Resources, if there shall be such instructions, and if there shall not be any, then in the manner which may to the Director of Lands seem best adapted to the convenience and interest of the public and the residents of the future town.

SEC. 71. The plat of the subdivision shall designate certain lots for commercial and industrial uses and the remainder as residence lots, and shall also reserve and note the lots owned by private individuals as evidenced by record titles, or as possessed or claimed by them as private property. Such lots, whether public or private, shall be numbered upon a general plan or system.

The plat prepared by the Director of Lands shall be submitted to the Secretary of Agriculture and Natural Resources for consideration, modification, amendment, or approval.

SEC. 72. Unless the necessary reservations are made in the proclamation of the Governor-General, the Director of Lands, with the approval of the Secretary of Agriculture and Natural Resources, shall reserve out of the land by him to be subdivided lots of sufficient size and convenient situation for public uses, as well as the necessary avenues, streets, alleyways, parks, and squares. The avenues, streets, alleys, parks, plazas, and lots shall be laid out on the plat as though the lands owned or claimed by private persons were part of the public domain and part of the reservation, with a view to the possible subsequent purchase or condemnation thereof, if deemed necessary by the proper authorities.

SEC. 73. At any time after the subdivision has been made, the Governor-General may, in case the public interest requires it, reserve for public purposes any lot or lots of the land so reserved and not disposed of.

SEC. 74. If, in order to carry out the provisions of this chapter, it shall be necessary to condemn private lands within the limits of the new town, the Governor-General shall direct the Attorney-General or officer acting in his stead to at once begin proceedings for condemnation, in accordance with the provisions of existing law.

SEC. 75. When the plat of subdivision has been finally approved by the Secretary of Agriculture and Natural Resources, the Director of Lands shall record the same in the records of his office and shall forward a certified copy of such record to the register of deeds of the province in which the land lies, to be by such register recorded in the records of his office.

SEC. 76. All lots except those claimed by or belonging to private parties and those reserved for parks, buildings, and other public uses, shall be sold, after due notice, at public auction to the highest bidder, after the approval and recording of the plat of subdivision as above provided, but no bid shall be accepted that does not equal at least two-thirds of the appraised value, nor shall bids be accepted from persons, corporations, associations, or partnerships not authorized to purchase public lands for agricultural purposes under the provisions of this Act. The provisions of section twenty-seven of this Act shall be observed in so far as they are applicable. Lots for which satisfactory bids have not been received shall be again offered for sale, under the same conditions as the first time, and if they then remain unsold, the Director of Lands shall be authorized to sell them at private sale for not less than two-thirds of their appraised value.

SEC. 77. All funds derived from the sale of lots shall be covered into the Insular Treasury as part of the general funds.

SEC. 78. Not more than two residence lots and two lots for commercial and industrial uses in any one town site shall be sold to any one person, corporation, or association without the specific approval of the Secretary of Agriculture and Natural Resources.

SEC. 79. The Legislature shall have the power at any time to modify, alter, rescind, repeal, annul, and cancel, with or without conditions, limitations, exceptions, or reservations, all and any dispositions made by the executive branch of the Philippine Government by virtue of this chapter, and the exercise of this power shall be understood as reserved in all cases, as an inherent condition thereof.

CHAPTER XII.—*Reservations for public and semi-public purposes.*

SEC. 80. Upon receipt of the order of the President of the United States, the Governor-General shall, by proclamation, designate such land as the President of the United States may set aside for military, naval or other reservations for the use of the Government of the United States.

SEC. 81. Upon the recommendation of the Secretary of Agriculture and Natural Resources, the Governor-General may designate by proclamation any tract or tracts of land of the public domain as reservations for the use of the Government of the Philippine Islands or of any of its branches, or for quasi-public uses or purposes when the public interest requires it, including reservations for highways, rights of way for railroads, hydraulic power sites, irrigation systems, and other improvements for the public benefit.

SEC. 82. Upon the recommendation of the Secretary of Agriculture and Natural Resources, the Governor-General may, by proclamation, designate any tract or tracts of land of the public domain for the exclusive use of the non-Christian natives, including in the reservation, in so far as practicable, the lands used or possessed by them, and granting to each member not already the owner, by title or gratuitous patent, of ten or more hectares of land, the use and benefit only of a tract of land not to exceed ten hectares for each male member over eighteen years of age or the head of a family. As soon as the Secretary of the Interior shall certify that the majority of the non-Christian inhabitants of any given reservation have advanced sufficiently in civilization, then the Governor-General may order that the lands of the public domain within such reservation be granted under the general provisions of this Act to the said inhabitants, and the subdivision and distribution of said lands as above provided shall be taken into consideration in the final disposition of the same. But any non-Christian inhabitant may at any time apply for the general bene-

fits of this Act, provided the Secretary of Agriculture and Natural Resources is satisfied that such inhabitant is qualified to take advantage of the provisions of the same: *Provided*, That all grants, deeds, patents, and other instruments of conveyance of land or purporting to convey or transfer rights of property, privileges, or easements appertaining to or growing out of lands, granted by sultans, datus or other chiefs of the so-called non-Christian tribes, without the authority of the Spanish Government while the Philippine Islands were under the sovereignty of Spain, or without the consent of the United States Government or of the Philippine Government since the sovereignty of the Archipelago was transferred from Spain to the United States, and all deeds and other documents executed or issued or based upon the deeds, patents, and documents mentioned, are hereby declared to be illegal, void, and of no effect.

SEC. 83. Upon recommendation by the Secretary of Agriculture and Natural Resources, the Governor-General may, by proclamation, designate any tract or tracts of land of the public domain for the establishment of agricultural colonies; and although the disposition of the lands to the colonists shall be made under the provisions of this Act, yet, while the Government shall have the supervision and management of said colonies, the Secretary of Agriculture and Natural Resources may make the necessary rules and regulations for the organization and internal administration of the same.

The Secretary of Agriculture and Natural Resources may also, under conditions to be established by the Legislature, turn over a colony so reserved to any person or corporation, in order that such person or corporation may clear, break, and prepare for cultivation the lands of said colony and establish the necessary irrigation system and suitable roads and fences; but final disposition shall be made of the land in accordance with the provisions of this Act, subject, however, to such conditions as the Legislature may establish for the reimbursement of the expense incurred in putting such lands in condition for cultivation: *Provided*, That the Legislature may direct that such land so prepared for cultivation may be disposed of only by sale or lease.

CHAPTER XIII.—*Provisions common to reservations.*

SEC. 84. A certified copy of every proclamation of the Governor-General issued under the provisions of this title shall be forwarded to the Director of Lands for record in his office, and a copy of this record shall be forwarded to the register of deeds of the province or city where the land lies. Upon receipt of such certified copy, the Director of Lands shall order the immediate survey of the proposed reservation if the land has not yet been surveyed, and as soon as the plat has been completed, he shall proceed in accordance with the next following section.

SEC. 85. If all the lands included in the proclamation of the Governor-General are not registered under the Land Registration Act, the Attorney-General, if requested to do so by the Secretary of Agriculture and Natural Resources, shall proceed in accordance with the provisions of section fifty of this Act.

SEC. 86. The tract or tracts of land reserved under the provisions of chapter twelve shall be nonalienable and shall not be subject to occupation, entry, sale, lease, or other disposition until again declared alienable under the provisions of this Act or by proclamation of the Governor-General.

TITLE VI.—GENERAL PROVISIONS.

CHAPTER XIV.—*Applications, procedure, concession of lands, and legal restrictions and encumbrances.*

SEC. 87. All applications filed under the provisions of this Act shall be addressed to the Director of Lands.

SEC. 88. Every application under the provisions of this Act shall be made under oath and shall set forth:

(a) The name and post-office address of the applicant, stating, in the case of an individual, his citizenship, and in the case of a corporation, association, or partnership, accompanying a copy of its articles of incorporation or partnership and, if organized outside of the Philippine Islands, also the documentary evidence necessary to show that such corporation, association, or partnership has been organized in accordance with the requirements of the laws of the country or state where it was constituted, and that it is authorized to transact business in these Islands; and if not incorporated, data showing that its members possess individually the qualifications required by this Act.

- (b) That the applicant has all the qualifications required by this Act in the case.
- (c) That he has none of the disqualifications mentioned herein.
- (d) That the application is made in good faith, for the actual purpose of using the land for the object specified in the application and for no other purpose, and that the land is suitable for the purpose for which it is requested.
- (e) That the application is made for the exclusive benefit of the applicant and not, either directly or indirectly, for the benefit of any other person or persons, corporation, association, or partnership.
- (f) As accurate a description of the land as may be given, stating its nature, the province, municipality, barrio, and sitio where it is located, and its limits and boundaries, specifying those having reference to accidents of the ground or permanent monuments, if any.
- (g) Whether all or part of the land is occupied or cultivated or improved, and by whom, giving his post-office address, and whether the land has been occupied or cultivated or improved by the applicant or his ascendant, the name of the ascendant, the relationship with him, the date and place of the death of the ascendant, the date when the possession and cultivation began, and a description of the improvements made, accompanying satisfactory evidence of the relationship of the applicant with the ascendant, and of the death of the latter and the descendants left by him, in case it is alleged that he occupied and cultivated the land first; or whether there are indications of its having been occupied, cultivated, or improved entirely or partially, and if so, in what such indications consist, whether he has made investigations as to when and by whom such improvements were made; and if so, how such investigations were made and what was the result thereof; or whether the land is not occupied, improved, or cultivated either entirely or partially, and there are no indications of it having ever been occupied, improved, or cultivated, and in this case, what is the condition of the land.

(h) That the land applied for is neither timber nor mineral land and does not contain guano or deposits of salts or coal.

SEC. 89. The statements made in the application shall be considered as essential conditions and parts of any concession, title, or permit issued on the basis of such application, and any false statement therein or omission of facts altering, changing, or modifying the consideration of the facts set forth in such statements, and any subsequent modification, alteration, or change of the material facts set forth in the application shall *ipso facto* produce the cancellation of the concession, title or permit granted. It shall be the duty of the Director of Lands, from time to time and whenever he may deem it advisable, to make the necessary investigations for the purpose of ascertaining whether the material facts set out in the application are true, or whether they continue to exist and are maintained and preserved in good faith, and for the purposes of such investigation, the Director of Lands shall be empowered to issue subpoenas and subpoenas *duces tecum* and, if necessary, to obtain compulsory process from the courts. In every investigation made in accordance with this section, the existence of bad faith, fraud, concealment, or fraudulent and illegal modification of essential facts shall be presumed if the grantee or possessor of the land shall refuse or fail to obey a subpoena or subpoena *duces tecum* lawfully issued by the Director of Lands or his authorized delegates or agents, or shall refuse or fail to give direct and specific answers to pertinent questions, and on the basis of such presumption, an order of cancellation may issue without further proceedings.

SEC. 90. Although the maximum area of public land that may be acquired is fixed, yet the spirit of this Act is that the rule which must determine the real area to be granted is the beneficial use of the land. The concession or disposition shall be for less than the maximum area authorized if at the time of the issuance of the patent or of the concession or disposition it shall appear that the applicant is utilizing and is only able to utilize a smaller area, even though the application is for a greater area. For the purposes of this section, the Director of Lands is authorized to determine the area that may be granted to the applicant, and to deny or cancel or limit any application for concession, purchase or lease if convinced of the lack of means of the applicant for using the land for the purpose for which he has requested it.

SEC. 91. Lands applied for under this Act shall conform to the legal subdivisions and shall be contiguous if comprising more than one subdivision. If subdivisions have not been made on the date of the application, the lands shall be rectangular in form so far as practicable, but it shall be endeavored

to make them conform to the legal subdivision as soon as the same has been made, provided the interests of the applicant or grantee are protected; and the subdivision assigned to the applicant or grantee shall, so far as practicable, include the land improved or cultivated. The regulations to be issued for the execution of the provisions of this section shall take into account the legal subdivision to be made by the Government and the inadvisability of granting the best land at a given place to only one person.

SEC. 92. In case the legal subdivisions have already been made at the time of the filing of the application, no charge shall be made for the survey; but if the legal subdivisions have not yet been made, the cost of the survey shall be charged to the Government, except in the following cases:

(a) In purchases under chapters five and ten of this Act, the cost of the survey shall be charged to the purchaser if the same is a corporation, association, or partnership; in other purchases the purchaser, whoever it be, shall pay the total cost of the survey.

(b) In leases, the cost of the survey shall be paid by the lessee; but at any time after the first five years from the approval of the lease, and during the life of the same, the lessee shall be entitled to the reimbursement of one-half of the cost of the survey, if he shows to the satisfaction of the Director of Lands that he has occupied and improved a sufficient area of the land or incurred sufficient expense in connection therewith to warrant such reimbursement.

SEC. 93. If before the delimitation and survey of a tract of public land the Governor-General shall declare the same disposable or alienable and such land shall be actually occupied by a person other than the applicant, the Director of Lands shall inform the occupant of his prior right to apply for the land and shall give him one hundred and twenty days' time in which to file the application or apply for the concession by any of the forms of disposition authorized by this Act, if such occupant is qualified to acquire a concession under this Act.

SEC. 94. As soon as any land of the public domain has been surveyed, delimited, and classified, the Governor-General may, in the order issued by him declaring it open for disposition, designate a term within which occupants with improvements but not entitled to free patents may apply for the land occupied by them, if they have the qualifications required by this Act.

SEC. 95. If in the case of the two last preceding sections, the occupant or occupants have not made application under any of the provisions of this Act at the expiration of the time limit fixed, they shall lose any prior right to the land recognized by this Act, and the improvements on the land, if any, shall be forfeited to the Government.

SEC. 96. All right and interest to, and the improvements and crops upon land for which an application has been denied or canceled or a patent or grant refused, or a contract or concession rescinded or annulled, shall also be forfeited to the Government.

SEC. 97. The Secretary of Agriculture and Natural Resources may order such improvements and crops to be appraised separately, for sale to the new applicant or grantee, or may declare such land open only to sale or lease.

SEC. 98. In case the cancellation is due to delinquency on the part of the applicant or grantee, the same shall be entitled to the reimbursement of the proceeds of the sale of the improvements and crops, after deducting the total amount of his indebtedness to the Government and the expense incurred by it in the sale of the improvements or crops and in the new concession of the land.

SEC. 99. All actions for the reversion to the Government of lands of the public domain or improvements thereon shall be instituted by the Attorney-General or the officer acting in his stead, in the proper courts, in the name of the Government of the Philippine Islands.

SEC. 100. Any person, corporation, or association may file an objection under oath to any application or concession under this Act, grounded on any reason sufficient under this Act for the denial or cancellation of the application or the denial of the patent or grant. If, after the applicant or grantee has been given suitable opportunity to be duly heard, the objection is found to be well founded, the Director of Lands shall deny or cancel the application or deny the patent or grant, and the person objecting shall, if qualified, be granted a prior right of entry for a term of sixty days from the date of the notice.

SEC. 101. All the proofs, affidavits, and oaths of any kind required or necessary under this Act may be made before the justice of the peace of the municipality in which the land lies, or before the judge or clerk of the Court of *First Instance* of the province in which the land lies, or before any justice of the peace or notary public of the province in which the land lies, or before

any officer or employee of the Bureau of Lands authorized by law to administer oaths.

The fees for the taking of final evidence before any of the officials herein-before mentioned shall be as follows:

For each affidavit, fifty centavos.

For each deposition of the applicant or the witnesses, fifty centavos.

SEC. 102. Any owner of uncultivated agricultural land who knowingly permits application for the same to be made to the Government and the land to be tilled and improved by a bona fide grantee without protesting to the Bureau of Lands within one year after cultivation has begun, shall lose all right to the part of the land so cultivated and improved, unless he shall bring action in the proper court before such action for recovery prescribes and obtains favorable judgment therein, in which case the court shall, upon its decision having become final, order the payment to the grantee, within a reasonable period, of the indemnity fixed by said court for the cultivation and improvement.

SEC. 103. If at any time the applicant or grantee shall die before the issuance of the patent or the final grant of the land, or during the life of the lease, or while the applicant or grantee still has obligations pending towards the Government, in accordance with this Act, he shall be succeeded in his rights and obligations with respect to the land applied for or granted or leased under this Act by his widow, who shall be entitled to have issued to her the patent or final concession if she shows that she has complied with the requirements therefor, or, in case he has left no widow or the widow refuses the succession, he shall be succeeded by the person or persons who are his heirs by law and who shall be subrogated in all his rights and obligations for the purposes of this Act.

SEC. 104. If at any time after the approval of the application and before the issuance of a patent or the final concession of the land, or during the life of the lease, or at any time when the applicant or grantee still has obligations pending with the Government, in accordance with this Act, it appears that the land applied for is necessary, in the public interest, for the protection of any source of water or for any work for the public benefit that the Government wishes to undertake, the Secretary of Agriculture and Natural Resources may order the cancellation of the application or the nonissuance of the patent or concession or the exclusion from the land applied for of such portion as may be required, upon payment of the value of the improvements, if any.

SEC. 105. All patents or certificates for lands granted under this Act shall be prepared in the Bureau of Lands and shall issue in the name of the Government of the Philippine Islands under the signature of the Governor-General, countersigned by the Secretary of Agriculture and Natural Resources, but such patents or certificates shall be effective only for the purposes defined in section one hundred and twenty-two of the Land Registration Act; and the actual conveyance of the land shall be effected only as provided in said section.

SEC. 106. No patent shall issue nor shall any concession or contract be finally approved unless the land has been surveyed and an accurate plat made thereof by the Bureau of Lands.

SEC. 107. In no case shall any land be granted under the provisions of this Act when this affects injuriously the use of any adjacent land or of the waters, rivers, creeks, foreshore, roads, or roadsteads, or vests the grantee with other valuable rights that may be detrimental to the public interest.

SEC. 108. Patents or certificates issued under the provisions of this Act shall not include nor convey the title to any gold, silver, copper, iron, or other metals or minerals, or other substances containing minerals, guano, gums, precious stones, coal, or coal oil contained in lands granted thereunder. These shall remain to be property of the Government.

SEC. 109. All persons receiving title to lands under the provisions of this Act, shall hold such lands subject to the provisions hereof and to the same public servitudes as exist upon lands owned by private persons, including those with reference to the littoral of the sea and the banks of navigable rivers or rivers upon which rafting may be done.

SEC. 110. Said lands shall further be subject to a right of way not over twenty meters in width and of such length as may be necessary for the public road which the Government may in due season find it necessary to build upon such land, with damages for the improvements only.

SEC. 111. The beneficial use of water shall be the basis, the measure, and the limit of all rights thereto, and the patents herein granted shall be subject to

the right of the Government to make such rules and regulations for the use of water and the protection of the water supply, and for other public purposes, as it may deem best for the public good. Whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued, and the same are recognized and acknowledged by the local customs, or by the laws and decisions of the courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and all patents granted under this Act shall be subject to any vested and accrued rights to ditches and reservoirs used in connection with such water rights as may have been acquired in the manner above described prior to April eleven, eighteen hundred and ninety-nine.

SEC. 112. There is hereby reserved from the operation of all patents, certificates, entries, and grants by the Government authorized under this Act, the right to use for the purposes of power any flow of water in any stream running through or by the land granted, the convertible power from which at ordinary low water exceeds fifty horse power. Where the convertible power in any stream running through or by land granted under the authority of this Act thus exceeds fifty horse power, and there is no means of using such power except by the occupation of a part of the land granted under authority of this Act, then so much land as is reasonably necessary for the mill site or site for the power house, and for a suitable dam and site for massing the water, is hereby excepted from such grant, not exceeding four hectares, and a right of way to the nearest public highway from the land thus excepted, and also a right of way for the construction and maintenance of such flumes, aqueducts, wires, poles, or other conduits as may be needed in conveying the water to the point where its fall will yield the greatest power, or the power from the point of conversion to the point of use, is reserved as a servitude or easement upon the land granted by authority of this Act: *Provided, however,* That when the Government or any concessionaire of the Government shall take possession of land under this section which a grantee under this Act shall have paid for, supposing it to be subject to grant under this Act, said grantee shall be entitled to indemnity from the Government or the concessionaire, as the case may be, for the amount, if any, paid by him to the Government for the land taken from him by virtue of this section: *And provided further,* That with respect to the flow of water, except for converting the same into power exceeding fifty horse power, said grantee shall be entitled to the same use of the water flowing through or along his land that other private owners enjoy under the law, subject to the governmental regulation provided in the previous section. Water power privileges in which the convertible power at ordinary low water shall exceed fifty horse power shall be disposed of only upon terms established by Act of the Legislature concerning the use, lease, or acquisition of such water privilege.

SEC. 113. All the lands granted by virtue of this Act and the improvements thereon, except homesteads, shall, even though the title remains in the Government, be subject to the ordinary taxes which shall be paid by the grantee beginning with the year next following the one in which the application or concession has been approved or the contract signed, as the case may be.

SEC. 114. The appraisal or reappraisal of the lands or improvements subject to concession or disposition under this Act shall be made by the Director of Lands, with the approval of the Secretary of Agriculture and Natural Resources. The Director of Lands may request the assistance of the provincial treasurer of the province in which the land lies or may appoint a committee for such purpose in the province or in the municipality in which the land lies. In no case shall the appraisal or reappraisal be less than the expense incurred or which may be incurred by the Government in connection with the application or concession.

SEC. 115. All sums due and payable to the Government under this Act shall draw interest at the rate of six per centum per annum from and after the date in which the debtor shall become delinquent. The Director of Lands may, however, remit such interest in the case of applicants for homesteads if it shall appear that the delinquency is due to no fault or neglect on their part.

SEC. 116. Lands acquired under the *frée* patent or homestead provisions shall not be subject to encumbrance or alienation from the date of the approval of the application and for a term of five years from and after the date of issuance of the patent or grant, nor shall they become liable to the satisfaction of any debt contracted prior to the expiration of said period; but the improvements or crops on the land may be mortgaged or pledged to qualified persons, *associations, or corporations.*

SEC. 117. Every conveyance of land acquired under the free patent or homestead provisions, when proper, shall be subject to repurchase by the applicant, his widow, or legal heirs, for a period of five years from the date of the conveyance.

SEC. 118. Conveyances and encumbrances made by persons belonging to the so-called "non-Christian tribes," when proper, shall not be valid unless duly approved by the Director of the Bureau of Non-Christian Tribes.

SEC. 119. No corporation, association, or partnership may acquire or have any right, title, interest, or property right whatsoever to any land granted under the free patent or homestead provisions or to any permanent improvement on such land.

SEC. 120. No land originally acquired in any manner under the provisions of this Act, nor any permanent improvement on such land, shall be encumbered, alienated, or transferred, except to persons, corporations, associations, or partnerships who may acquire lands of the public domain under this Act; to corporations organized in the Philippine Islands authorized therefor by their charters, and, upon express authorization by the Philippine Legislature, to citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire, hold, lease, encumber, dispose of, or alienate land, or permanent improvements thereon, or any interest therein, as to their own citizens, only in the manner and to the extent specified in such laws, and while the same are in force, but not thereafter.

SEC. 121. No land originally acquired in any manner under the provisions of the former Public Land Act or of any other Act, ordinance, royal order, royal decree, or any other provision of law formerly in force in the Philippine Islands with regard to public lands, *terrenos baldíos y realengos*, or lands of any other denomination that were actually or presumptively of the public domain, or by royal grant or in any other form, nor any permanent improvement on such land, shall be encumbered, alienated, or conveyed, except to persons, corporations, or associations who may acquire land of the public domain under this Act; to corporate bodies organized in the Philippine Islands whose charters may authorize them to do so, and, upon express authorization by the Philippine Legislature, to citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire, hold, lease, encumber, dispose of, or alienate land or permanent improvements thereon or any interest therein, as to their own citizens, and only in the manner and to the extent specified in such laws, and while the same are in force, but not thereafter: *Provided, however*, That this prohibition shall not be applicable to the conveyance or acquisition by reason of hereditary succession duly acknowledged and legalized by competent courts, nor to lands and improvements acquired or held for industrial or residence purposes, while used for such purposes: *Provided, further*, That in the event of the ownership of the lands and improvements mentioned in this section and in the last preceding section being transferred by judicial decree to persons, corporations or associations not legally capacitated to acquire the same under the provisions of this Act, such persons, corporations, or associations shall be obliged to alienate said lands or improvements to others so capacitated within the precise period of five years, under the penalty of such property reverting to the Government in the contrary case.

SEC. 122. Any acquisition, conveyance, alienation, transfer, or other contract made or executed in violation of any of the provisions of sections one hundred and sixteen, one hundred and eighteen, one hundred and nineteen, one hundred and twenty, and one hundred and twenty-one of this Act shall be unlawful and null and void from its execution and shall produce the effect of annulling and canceling the grant, title, patent, or permit originally issued, recognized, or confirmed, actually or presumptively, and cause the reversion of the property and its improvements to the Government.

SEC. 122(A). The provisions of sections twenty-three, twenty-four, thirty-four, fifty-seven, one hundred and twenty, and one hundred and twenty-one of this Act, and any other provision or provisions restricting or tending to restrict the right of persons, corporations or associations to acquire, hold, lease, encumber, dispose of, or alienate land in the Philippines, or permanent improvements thereon, or any interest therein, shall not be applied in cases in which the right to acquire, hold or dispose of such land, permanent improvements thereon or interests therein in the Philippine Islands is recognized by existing treaties in favor of citizens or subjects of foreign nations and corporations or associations organized and constituted by the same, which right, in so far as it exists under such treaties, shall continue and subsist in the manner and to

the extent stipulated in said treaties, and only while these are in force, but not thereafter.

CHAPTER XV.—*Penal provisions.*

SEC. 123. Any person who presents or causes to be presented, or coöperates in the presentation of, any false application, declaration, or evidence, or makes or causes to be made or coöperates in the making of a false affidavit in support of any petition, claim, or objection respecting lands of the public domain, shall be deemed guilty of perjury and punished accordingly.

SEC. 124. Any person who voluntarily and maliciously prevents or hinders or attempts to prevent or hinder the presentation of any application for public land under this Act, or who in any manner attempts to execute or executes acts intended to dissuade or discourage, or aid to dissuade or discourage, the acquisition of public lands, shall be deemed guilty of coercion and be punished accordingly.

SEC. 125. Any person who sells forms issued and distributed gratuitously under this Act or who, being an officer charged with distributing them, refuses or fails, without sufficient reason, to furnish the same, shall be punished for each offence by a fine of not more than one hundred pesos, or by imprisonment for not more than three months, or both, in the discretion of the court.

SEC. 126. Any person who, without having the qualifications required by this Act, shall by deceit or fraud acquire or attempt to acquire lands of the public domain or other real property, or any right, title, or interest, or property right of any class to the same, and any person aiding and abetting him therein or serving as a means or tool therefor, shall, upon conviction, be punished by a fine of not more than five thousand pesos, or by imprisonment for not more than five years, or both, in the discretion of the court.

TITLE VII.—FINAL PROVISIONS.

CHAPTER XVI.—*Effectiveness of this Act.*

SEC. 127. If, for any reason, any section or provision of this Act is challenged in a competent court and is held to be unconstitutional or invalid, or if, for any reason, the President of the United States excepts from his approval or the United States Congress repeals or declared invalid, any section or provision of this Act, none of the other sections or provisions thereof shall be affected thereby and such other sections and provisions shall continue to govern as if the section or provision so annulled, disapproved, or repealed had never been incorporated in this Act, and in lieu of the section or provision so annulled, disapproved, or repealed, the provisions of law on the subject thereof in force prior to the approval of this Act shall govern until the Legislature shall otherwise provide in the premises.

In case the President of the United States should have any objection to any provision or provisions of this Act, these shall not take effect, notwithstanding the approval of this Act by the President, and in the meantime the provisions of law on the subject thereof in force prior to the approval of this Act shall continue to govern instead of the section or provision objected. The Philippine Legislature shall, in view of the objections of the President, take such action as it may see fit at the next regular session held after the action of the President, and whatever action the Legislature may then take shall be submitted to the President, for his final sanction.

SEC. 128. Act Numbered Nine hundred and twenty-six, known as the "Public Land Act," and all Acts and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed.

SEC. 129. This Act shall take effect on July first, nineteen hundred and nineteen, unless the Governor-General shall, in the proclamation announcing its effectiveness, designate a date prior to July first, nineteen hundred and nineteen, but posterior to the date of the approval of this Act by the Philippine Legislature, in which case this Act shall take effect on the date so designated.

Approved, November 29, 1919.

(Sgd.) *ESPIRIDION GUANCO,*
President pro tempore of the Senate.

(Sgd.) *SERGIO OSMENA,*
Speaker of the House of Representatives.

Finally passed by the Senate on March 8, 1919.

(Sgd.) *F. MA GUERRERO,*
Secretary of the Senate.

ACTS AND TREATIES PERTAINING TO PHILIPPINE ISLANDS. [177

This Act, which originated in the House of Representatives, was finally passed by the same on March 8, 1919.

(Sgd.) RAFAEL VILLANUEVA,
Secretary of the House of Representatives.

Approved: April 7, 1919:

[SEAL.] (Sgd.) CHARLES R. YEATER,
Acting Governor-General.

Approved:

President of the United States.

Took effect by operation of law.

[H. No. 1847.]

FOURTH PHILIPPINE LEGISLATURE, SPECIAL SESSION OF 1919.

Begun and held at the City of Manila on Saturday, the first day of March, one thousand nine hundred and nineteen.

[No. 2878.]

An Act Granting to the National Development Company certain powers with regard to public land, mines or mining claims, any legal provision to the contrary notwithstanding.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. If, for the proper attainment of its purposes, the National Development Company should find it necessary to acquire, hold and manage, alienate or encumber lands, mines or mining claims in excess of the limit as to area established by law, said company is hereby authorized to acquire, hold, manage, alienate, and encumber such lands, mines or mining claims during a period of ten years from and after the date of their acquisition, possession, or administration, in order to prepare and facilitate the alienation or other disposal of the same. The Governor-General may, however, extend this time from year to year, whenever necessary in order to facilitate the sale or disposal of such agricultural lands, mines or mining claims, provided the total of such extensions shall not exceed ten years.

SEC. 2. This Act shall take effect on its approval by the President of the United States, in accordance with section nine of the act commonly known as the Jones Law, entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those Islands."

Approved.

(Signed) ESPIRID GUANCO,
President pro tempore of the Senate.

(Signed) SERGIO OSMENA,
Speaker of the House of Representatives.

Finally passed by the Senate on March 8, 1919.

(Signed) FERNANDO MA. GUERRERO,
Secretary of the Senate.

This Act, which originated in the House of Representatives, was finally passed by the same on March 7, 1919.

(Signed) RAFAEL VILLANUEVA,
Secretary of the House of Representatives.

Approved: March 12, 1919.

(Signed) CHARLES E. YEATER,
Acting Governor-General.

Approved: 24 November, 1919.

(Signed) WOODROW WILSON,
President of the United States.

[H. No. 1134.]

FOURTH PHILIPPINE LEGISLATURE, THIRD SESSION.

Begun and held at the City of Manila on Wednesday, the sixteenth day of October, one thousand nine hundred and eighteen.

[No. 2872.]

An Act To amend paragraph two hundred of section eight of the Act entitled "An Act to raise revenue for the Philippine Islands, and for other purposes," approved by the Congress of the United States on August fifth, nineteen hundred and nine, exempting from all customs duties, in certain cases, repairs on boats and other water craft matriculated in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Paragraph two hundred of section eight of the Act of the Congress of the United States of August fifth, nineteen hundred and nine, entitled "An Act to raise revenue for the Philippine Islands, and for other purposes," is hereby amended to read as follows:

"GROUP 4.—Boats and other water craft.

"200. Boats, launches, lighters, and other water craft, set up or knocked down, imported into the Philippine Islands, and cost of repairs made in foreign countries to vessels, or to parts thereof, documented for the Philippine coast-wise trade and plying usually in Philippine waters and for which repairs adequate facilities are afforded in the Philippine Islands, fifty per centum ad valorem until December thirty-first, nineteen hundred and twenty-four; twenty-five per centum ad valorem on and after January first, nineteen hundred and twenty-five.

"Provided, That upon proof satisfactory to the collector of customs that adequate facilities are not afforded in the Philippine Islands for such repairs, so that the work can not be done there reasonably economically and within a reasonable time, in the judgment of said collector, such repairs shall be subject to the provisions of paragraph three hundred and forty-eight of this Act; and

"Provided further, That if the owner or master of such vessel shall furnish evidence satisfactory to the collector of customs that such vessel while in the regular course of her voyage was compelled by stress of weather or other casualty to put into a foreign port or place and make such repairs to secure the safety of the vessel or to enable her to return to the Philippine Islands, such duty shall not be imposed; and

"Provided further, That furnishings, stores, and supplies, not otherwise provided for, purchased abroad and imported in such vessel shall be dutiable under the corresponding paragraphs of this Act.

"The expression 'imported into the Philippine Islands' shall be held to mean 'brought into the jurisdictional waters of the Philippine Islands in or on another vessel, or towed therein by another vessel (except when becalmed or disabled at sea), as distinguished from coming into said islands under the craft's own steam, sail, or other motive power.'

SEC. 2. Upon the express or implicit approval of this Act by the President of the United States, as provided in the Act of Congress approved on August twenty-ninth, nineteen hundred and sixteen, entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those Islands," the Governor-General shall so announce forthwith, by means of a proclamation, and this Act shall take effect on the date of such proclamation.

Approved,

ESPIRID GUANCO,
President pro tempore of the Senate.

SERGIO OSMENA,
Speaker of the House of Representatives.

Finally passed by the Senate on February 8, 1919.

FERNANDO MA GUERRERO,
Secretary of the Senate.

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This Act, which originated in the House of Representatives, was finally passed by the same on February 8, 1919.

RAFAEL VILLANUEVA,
Secretary of the House of Representatives.

Approved: February 28, 1919.

CHARLES E. YEATER,
Acting Governor-General.

Approved: November 24, 1919.

(Signed) WOODROW WILSON,
President of the United States.



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